



Sydney Autostrad Terminal (Port Botany) Environmental Management System

2023 Annual Compliance Report (DA-453)

Reporting Period: 1 January to 31 December 2023



Courtesy of Bob Wood – Maersk Jalan berthed at Patrick Port Botany Terminal(2016

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- The Operational Environmental Management Plan (OEMP or Operational EMP) is maintained and up-to-date.
- The current version of the OEMP is readily available to all Managers, employees, and key stakeholders; and
- A copy of this report is retained for a minimum of seven years.

Listed below are the for this document.

Document History					
Version No.	Page No.	Issue Date	Description of Amendment(s)	Prepared By	Approved By
1	All	29 February 2024	Initial report	Natalie Cerda & Marie Gibbs	Bruce Guy

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Title Block

Name of Operation:		Patrick, Sydney Autostrad Terminal (Port Botany Terminal)
Name of Operator:		Patrick Stevedores Operations Pty Limited
Consents / Licences:		Listed below
1.	Development consent / project approval:	Patrick Redevelopment, DA 453-12-2002-i (MOD 8)
	Name of holder of development consent / project approval:	Patrick Stevedores Operations Pty Limited
2.	Environmental Protection Licence (EPL):	EPL 6962
	Name of holder of EPL:	Patrick Stevedores Operations Pty Limited
3.	Consent to Discharge Industrial Trade Wastewater:	24990
	Name of the consent holder:	Patrick Stevedores Operations Pty Limited
4.	Trade Wastewater Discharge Schedule:	40110
	Name of permit holder	Patrick Stevedores
Date the Site was deemed Operational:		4 February 2016
Annual Review start date:		1 January 2023
Annual Review end date:		31 December 2023
<p>I, Natalie Cerda, certify that this audit report is a true and accurate record of the compliance status of the Patrick Stevedores, Port Botany Terminal for the period 1 January 2023 to 31 December 2023 and that I am authorised to make this statement on behalf of the Patrick Port Botany Terminal.</p> <p>Note:</p> <p>a) <i>The Annual Review is an ‘environmental audit’ for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual \$250,000.</i></p> <p>b) <i>The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement – maximum penalty 5 years imprisonment); sections 307A, 307B, and 307C (False or misleading applications/information/ documents – maximum penalty 2 years imprisonment or \$22,000 or both.)</i></p>		
Name of authorised reporting officer:		Natalie Cerda
Title of authorised reporting officer:		HSE Manager
Signature of authorised reporting officer:		
Date:		29 February 2024

Acronyms and Glossary

Term	Definition
ACCC	Australian Competition & Consumer Commission
ACR	Annual Compliance Report (as per DA-453)
ARMG	Automated Rail Mounted Gantry Crane
Autostrad	Automated Straddle Carrier – a mobile plant remotely controlled
Auto Yard or Automated Yard	Fenced off area where containers are stored between being loaded onto trucks or loaded onto vessels. When in operation only Auto Strads and containers occupy this area. In the event access is required the Auto Strads are noded out.
BIRP	Biosecurity Incident Response Plan
CEMP	Construction Environmental Management Plan
Council	Bayside City Council comprises of Botany and Rockdale Councils. Further references to the former Botany and Randwick Councils remain throughout.
CoA	Conditions of Approval
DA	Development Application
Development Consents	<ul style="list-style-type: none"> DA-453-12-2002-I and DA-494-11-2003-j;
DG	Dangerous Goods
DPE	NSW Department of Planning and Environment
DPIE	NSW Department of Planning, Industry and Environment (formerly DPE)
DSEWPC	Department of Sustainability, Environment, Water, Population and Communities (refer to Australian Government - Department of the Environment and Energy)
ESC	Environment, Sustainability & Compliance
EIS	Environmental Impact Statement
ERP	Environmental Response Plan
EPA	Environment Protection Authority
EPL	Environment Protection Licence
EPBC	Environment Protection and Biodiversity Conservation Act 1999
FRNSW	Fire and Rescue NSW
HAZMAT	Hazardous Materials
HSE	Health, Safety & Environment
IMDG	International Maritime Dangerous Goods (Code)
INC	Incident
MOD	Modification
NPWS	NSW National Parks & Wildlife Service
OEM	Original Equipment Manufacturer
OEMP	Operation Environmental Management Plan

Term	Definition
OOG	Out of gauge
PB	Port Botany
PBE	Port Botany Expansion
PBCCC	Port Botany Community Consultative Committee
PBROG	Port Botany Rail Optimisation Group
PBRT	Port Botany Road Taskforce
POEO Act	Protection of the Environment Operations Act
Quay Crane	Purpose built crane mounted on rails on the wharf and can move along the wharf on these rails. Used for loading and unloading cargo from vessels onto the wharf or in the back reach of the crane into the Automated Yard.
Reach Stacker	Mobile plant used to pick up and carry containers with its telescopic arm and spreader. Used to handle OOG cargo, rail cargo on and off wagons.
SAT	Sydney Autostrad Terminal
Secretary	Prior to DA 494 MOD 16 the DPE referred to this position/office as Director-General.
SEPP (Three Ports)	Department of Planning, Industry and Environment (NSW). The data represents Height of Building, Land Zoning, Special Provision, Lease Area, Referral Area, Additional Permitted Uses for State Environmental Planning Policy (Three Ports) 2013
SOP	Standard Operating Procedure
SPC	Sydney Ports Corporation
Spreader	A device used by quay cranes, Auto Strads or reach stackers which enables the mobile plant to lift, lock on to and carry containers safely.
TEU	Twenty-foot Equivalent Unit – the acceptable measure of container through-put and equal to 1x 20-foot (6.1m) long container i.e., 1x 40-foot container is equal to 2 TEU.

1. STATEMENT OF COMPLIANCE

1.1 Overall Assessment

The purpose of the Annual Compliance Management Report (DA-453) (ACR) is to undertake the necessary assessment and review of compliance and the effectiveness of environmental management and mitigation works required. This ACR has been prepared for the preceding twelve-month period (1 January 2023 to 31 December 2023) in accordance with the requirements of:

- CoA 453, C4.2 – Annual Compliance Report

The overall assessment of the environmental performance for this reporting period demonstrated a high level of compliance with the relevant conditions of this development approval (DA-453).

Table 1.1: Statement of Compliance

Were all conditions of the relevant approval(s) complied with?	YES / NO
Development Consent DA-453-12-2002-i (MOD 8, 22 May 2014)	Yes

Note: DA-494, EPL, and trade waste consents compliance is reported separately in the 2023 – Annual Environmental Management Report.

1.2 Non-Compliance

Applying the Compliance Status Key (Figure 1.2) the conditions of the above approvals which are non-compliances are identified in Table 1.3 below.

Table 1.2: Compliance Status Key

Colour Code	Description
Compliant	Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence
Non-compliant	Non-compliance with: <ul style="list-style-type: none"> • potential for serious environmental consequences, but is unlikely to occur; or • potential for moderate environmental consequences, but is likely to occur
Non-compliant	Non-compliance with: <ul style="list-style-type: none"> • potential for moderate environmental consequences, but is unlikely to occur; or • potential for low environmental consequences, but is likely to occur
Non-compliant	Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g., submitting a report to government later than required under approval conditions)

Table 1.3: 2023 Annual Compliance Report (ACR) Non-Compliances

Summary: Non-Compliances identified from the 2023 calendar year audit – Nil (0)

Relevant Approval	Cond. #	Condition Description (Summary)	Compliance Status <small>Note 1</small>	Comment	Where addressed in ACR
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Note 1 – Refer to Table 1.2 for the compliance status key for the risk-level of the non-compliances

1.3 Contact Details for Key Personnel

Names and contact details for the key personnel who are responsible for the environmental management of the operation (terminal) are:

Ms Natalie Cerda

Health, Safety and Environment Manager

Patrick, Sydney Autostrad Terminal (Port Botany)

Gate B105A, Penrhyn Road (Inter-Terminal Access Road)

Banksmeadow NSW 2019

Mobile: 0404 117 986

Email: n.cerda@patrick.com.au

2. INTRODUCTION

2.1 Overall Site Location

The Patrick Sydney Autostrad Terminal (SAT) is located at Penrhyn Road (Inter Modal Access Road), in the suburb of Banksmeadow (NSW 2019) which borders the boundary with the suburb of Port Botany (NSW 2036). Foreshore Road and Botany Road are located to the north and Brotherson Dock to the south. Figure 2.1.1 below provides an overview of the site context which is comprised of approximately 63 hectares of land.



Figure 2.1.1: Location of Patrick's Sydney Autostrad Terminal at Port Botany

Patrick’s terminal, approximately 45 hectares, was further expanded due to the NSW Port’s (applicant) Port Botany Expansion Project which added a further 18 hectares (The Knuckle) to the Patrick terminal layout making a total of 63 hectares.

In April 2015, the terminal replaced its manual straddle fleet with automated straddles (Autostrad) operating within a fenced automated yard.



Figure 2.12: Layout of Patrick’s Sydney Autostrad Terminal (Port Botany)

2.2 Key Structure Elements

The Patrick SAT comprises of the original terminal (DA-453) and 'The Knuckle' (Berth 6, DA-494) and the following key structural elements:

- a) Quay line 1400 metres,
- b) Depth alongside quay line – ranges from approximately 14 to 17 metres,
- c) Berths – four (4),
- d) Quay Cranes – nine (9),
- e) Automated Straddles – 59,
- f) Automated Rail Gantry Cranes – three (3),
- g) Onsite import and export container yard including power units for refrigerated containers,
- h) Onsite empty container handling facility (Cargo Link),
- i) Truck Grids – 24 lanes in operating for discharging or loading containers,
- j) Rail siding length – 750m of approach tracks and 4 x 300m of workable siding (1200m)
- k) Heavy duty pavement and roadways,
- l) Stormwater drainage infrastructure including pumps, pollution control devices, trenching and kerbing,
- m) Light tower foundations – light, radar, and camera poles,
- n) Maintenance – offices, workshop, cleaning bays, refuelling station,
- o) Administration Building and Tower – offices, amenities, facilities (security, first aid, canteen; and
- p) Workforce and visitor car parking areas.

2.3 Overview of Key Activities

The key activities carried out at the terminal include:

- Loading and unloading containers and breakbulk cargoes to and from ships,
- Marshalling and short-term storage of import, export and empty containers, and breakbulk cargoes,
- Handling of containers and breakbulk cargoes to and from road transport,
- Handling of containers and breakbulk cargoes to and from rail transport; and
- Site equipment service, maintenance, and refuelling activities.

2.4 Overall Site Operation

The terminal operates 24 hours a day, seven days a week. Operations undertaken within the site boundary include:

- Truck processing and container exchange activities: Road transport trucks enter the terminal, access the Truck Grid, and reverse into truck lanes where they are either loaded or unloaded by an auto straddle. An empty container exchange area is located parallel to Penrhyn Road (eastern side of the terminal), and an empty container park at the rear of the terminal's rail siding. Road transport trucks enter the Terminal from Penrhyn Road via Gate B110 and are unloaded by heavy forklifts.
- Rail siding activities: Freight locomotives are serviced along the rail siding parallel to Penrhyn Road (northern side of the site). Locomotives enter the site from the north-east. Loading and unloading of rolling stock is serviced by three Automated Rail Mounted Gantry Cranes (ARMGs) located at the rear of the rail siding. The containers are loaded/unloaded via the ARMGs directly into the automated yard where they are collected and stacked by AutoStrads. Phase 2 of the AutoRail project (part of the approval granted via the SEPP (Three Ports) 2013 process) will see the rail siding and intermediate stacking area (ISA) extended to a total 600m in length in 2024.
- Automated container yard activities: Containers transit through the terminal via an automated yard. Current operations provide a storage capacity of approximately 5,000 ground slots, with an average of 4,000–8,000 containers located in the yard at any one time (depending on the time of year). The containers are manoeuvred through the automated yard, and to and from trucks at the Truck Grids via the use of automated straddles. Approximately forty auto straddles are available for use throughout the automated yard at any given time.
- Quay crane (ship-to-shore) activities: Vessels are currently serviced at the site by nine quay cranes on Brotherson Dock. The cranes load and unload vessels with containers transferred to and from the automated yard by auto straddles.
- Maintenance activities: Routine maintenance on equipment and plant is carried out in the purpose-built workshop, and when required on mobile plant in-situ e.g., quay cranes. Refuelling and conducting repairs mobile plant.

Areas surrounding the site comprises of industrial, port related, commercial, residential, and recreational land uses.

2.5 Changes to Key Structural Elements and Operations During the Preceding Year

During the preceding twelve-month period (i.e., [1 January 2022](#) to [31 December 2023](#)), the following changes were made to key structural elements and site operations:

- Relocated the diesel trans-tanks, refuelling area, and the associated stormwater management system.
- The AutoRail project continued in 2023 with the redevelopment of the truck grids and extending the rail siding. These works will continue in 2024 with the rail siding extended to a total 600m in length, new paving inside the auto yard adjacent to the rail siding, and the installation of a locomotive shifter.

3. APPROVALS

Table 3.1 below lists all the approvals currently held by Patrick Stevedores Operations Pty Ltd which are relevant to the terminal's operations and any changes made to those approvals during the reporting period.

Table 3.1: Approvals for the Patrick Port Botany Terminal and changes made during reporting period - 1 January to 31 December 2023

No.	Details	Approval Name, Reference Number, Date Approved / Issued, Name of Applicant	Changes made during reporting period
1	Development Consent:	DA-494-11-2003-i (MOD 17, 19 September 2019)	No change
	Applicant:	NSW Ports	
	Issued by	Department of Planning, Industry and Environment	
2	Development Consent:	DA-453-12-2002-i (MOD 8, 22 May 2014)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued by	Department of Planning, Industry and Environment	
3	Environmental Protection Licence:	EPL 6962 (Notice of Variation of Licence – (1 Sep 2020)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued by:	NSW Environment Protection Authority	
4	Consent to Discharge Industrial Trade Wastewater Consent No.:	24990 (19 June 2023)	Reissued by Sydney Water
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued By:	Sydney Water	
5	Trade Wastewater Discharge Schedule, Permit No.:	40110 (18 April 2019)	No change
	Applicant:	Patrick Stevedores Operations Pty Ltd	
	Issued By:	Sydney Water Operations Pty Ltd	

4. OPERATIONS SUMMARY

4.1 Highlights – 2023

- The volume of TEU throughput has steadily increased since 2018, and slightly declined in 2021 before increasing in 2022 and 2023.
- The proportionate number of truck visits remains consistent in 2018, 2019, an increase in 2020 and then a slight decline in 2021. In 2022 and 2023 saw a slight increase which Patrick expects to increase as the rail extension project completes in 2024.
- The construction of the rail infrastructure to increase rail mode share commenced in 2019 and expected to be complete in 2024.
- The average truck turnaround time for 2022 was higher than the previous year, causal effect attributed to weather events and average yard volume.
- The proportionate number of truck visits during day shift, evening shift and night shift remains consistent over the past 6-years including 2023.

4.2 Next Reporting Period (forecast)

During the next reporting period, Patrick expects that operations and container volumes will remain stable with the services currently under agreement.

- The construction of the rail infrastructure commenced in 2019, the final construction phase is scheduled to be completed in 2024.

5. ACTIONS REQUIRED FROM PREVIOUS ANNUAL REVIEW

The table below identifies any actions required as an outcome of the previous annual reviews i.e., independent audit and annual environmental management report. It includes any actions that have been undertaken, which actions have been completed, and those which remain open.

5.1 Actions required from the Annual Review(s) - Completed/Closed

During the 2023 annual review, two observations were closed out, refer to Table 5.1 below.

Table 5.1: Actions required from the Annual Review(s) of DA-453 - Completed/Closed

Audit/ Review No.	Source / Reference	Action required from Patrick's previous Annual Reviews (i.e. Independent Audit & ACR)	Requested By	Action taken by Patrick	Who/ When	Status
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEWS FINDINGS – COMPLETED / CLOSED at the DA-453 IEA: 2023						
IA2022_Obs.01	DA 453, 7.19	Signage on Stormwater Drains Signs shall be displayed adjacent to all stormwater drains on the premises indicating that only clean water is allowed to enter these drains. Examples of possible signage include: 'Clean Rainwater Only', 'Clean water only - NO waste' or 'H2Oonly'.	Patrick, Auditor	Signage was observed on stormwater drains and a program is in place to ensure these are maintained.	Engineering / Maintenance Manager Dec 2023	Closed
IA2022_Obs.02	DA 453, 7.20	Maintenance of Stormwater Treatment Devices All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the devices shall be disposed of in a manner that does not pollute waters.	Patrick, Auditor	The drain safe open/close mechanisms have been updated to ensure they can be accessed quickly. A procedure has been posted on the walls in the maintenance office.	Engineering / Maintenance Manager Dec 2023	Closed

5.2 Actions required from the Annual Review(s) – Remain Open or New

- a) Previous Annual Reviews – actions which remain open, refer to Table 5.2 below: [One \(1\) Observation](#); and [One \(1\) Non-Compliance](#)
- b) 2023 Annual review – new actions, refer to Table 5.2 below: [Two \(2\) Observations](#)

Table 5.2: Actions required from previous Annual Reviews of DA-453 – Remain Open or New:

Audit/ Review No.	Cond. No	Action required from Patrick’s previous Annual Reviews (i.e., Independent Audit & ACR)	Requested By	Action to be taken by Patrick	Who/When	Status
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEW FINDINGS – REMAIN OPEN OR NEW: 2023						
IA2019_3 Observation	DA-453, 5.7	<p>Condition 5.7 Within 6 months of consent being granted and every 6 months thereafter, the Applicant shall submit a report to the EPA containing the following information: (a) A pollutant inventory that qualifies waters discharged from the site. This shall include identification of all water pollutants likely to be discharged from each final stormwater pit on the 11 stormwater lines serving the container handling operation area within the site. The water pollutants shall include but are not limited to: total phenolics, polycyclic aromatic hydrocarbons, oil and grease, total petroleum hydrocarbons, total organic carbon, biochemical oxygen demand, chemical oxygen demand, pH, zinc, copper, lead, cobalt, chromium, manganese, cobalt, nickel and iron.</p> <p>Observation: This and other redundant conditions of the approvals should be removed if possible. This would benefit and assist the compliance task by simplifying and streamlining the conditions that really matter to protecting the environment and community from what is now an integrated Terminal operation.</p>	Patrick, Auditor	<p>2023 Audit Finding The Rail expansion project continued throughout 2022/23 It is anticipated to be completed in 2024.</p> <p>Action: Modification discussed internally and in brief with NSW Ports and the Department. Patrick has prepared a draft proposed consolidation document. Patrick is now waiting for details of potential major upgrade to rail area which may necessitate modification to approval conditions that could also address this finding in a consolidated manner.</p>	Patrick, 2024/25	OPEN

Audit/ Review No.	Cond. No	Action required from Patrick's previous Annual Reviews (i.e., Independent Audit & ACR)	Requested By	Action to be taken by Patrick	Who/When	Status
STATUS OF PREVIOUS REVIEWS: ANNUAL REVIEW FINDINGS – REMAIN OPEN OR NEW:						
IA2020_12 Non-compliance	DA-453, C3.43	Condition 3.43 states that all wastes and material generated on the site during construction and operation shall be classified in accordance with the EPA's Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes and be disposed of to a facility that may lawfully accept the waste.	Patrick, Auditor	<i>Note that this non-compliance arises from the same issue as for DA 494 Conditions C2.13 and C2.13A.</i> 2023 – it is understood that the EPA WasteLocate app continued to suffer issues, however there is no evidence to show that waste tyres had been tracked for the 2023 calendar year.	PBT HSE Manager & Engineering / Maintenance Manager, Jun-24	PARTIALLY CLOSED
IA2023_1 Observation	DA-453, 3.62	The site induction and training material for storm pits and the new refuelling facility for the current audit period. The auditee also states that engineering controls and SOPs for cranes have been implemented as a means to minimise noise risks. However the auditor observes that training being delivered appears to be inconsistent with that described in Section 4.3 of the OEMP.	Patrick, Auditor	Review the environmental training being delivered on site against condition 3.62 and the OEMP. Update the documented training program in the OEMP to align with the requirements of condition 3.62 and existing training being delivered.	HSE Manager Jun 2023	OPEN
IA2023_2 Observation	DA-453, 6.4(c)	The current version of the Operational Traffic Management Plan (OTMP) does not appear to have the new truck grid and straddle crane refuelling facility arrangement documented. It is understood that a more current OTMP has been drafted (a draft version, dated 14 September 2023 was sighted during the audit) but this has yet to be finalized.	Patrick, Auditor	Finalise the update to the OTMP.	HSE Manager, June 2024	OPEN

6. ENVIRONMENTAL PERFORMANCE

This section provides a summary of the environmental outcomes that were intended for the reporting period and detail on achieving these. Actions required as an outcome of the 2023 Annual Review have also been identified, including detail of actions undertaken and when these were completed (Refer to Section 5 and Appendix A).

6.1 Induction and Training

Development Consent DA 453	3.62
Development Consent DA 494	C4.4
EPA Licence 6962	NA
EIS Prediction & Conclusion	32.2.4
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 4.3
Performance during the reporting period	<p>Environmental training commences when new employees and contractors start at the terminal in the form of a Site Induction, which is conducted during their first to two weeks of employment at Patrick.</p> <p>Patrick continues to update the employee, contractor, and visitor inductions to ensure the information remains current, and personnel are provided with information on an ongoing basis.</p>
Trend / key management implications	<p>All employees and permanent contractors at the terminal are required to hold a Maritime Security Identification Card (MSIC) combined with an electronic access card. Every two years MSIC holders are required to complete the site induction.</p>
Implemented / proposed management actions	<ul style="list-style-type: none"> OEMP was last reviewed 22 September 2023, next review planned for 2024. HSE Manager to periodically roll out to the Operations Manager and Engineering / Maintenance Manager environmental training related Toolbox Talks covering key issues such as noise, littering and leaks/spills.

6.2 Environmental Reporting

Development Consent DA 453	3.52
Development Consent DA 494	C2.20, C4.1
EPA Licence 6962	R2.1, R2.2, R3.1, R3.2, R3.3 and R3.4
EIS Prediction & Conclusion	28.10.1 and 32.1
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 4.4
Performance during the reporting period	In total 15x environment events (cross the entire terminal i.e., DA-494 and DA-453) were recorded in the Patrick incident reporting management system for tracking purposes; none required to be reported to the Department or EPA.
Trend / key management implications	Engineering / Maintenance Department to maintain a record of waste tyres being collected for disposal in the absence of the NSW EPA WasteLocate App.
Implemented / proposed management actions	<ul style="list-style-type: none"> OEMP was last reviewed 22 September 2023, next review planned for 2024. HSE Manager to progress with the Engineering / Maintenance Manager, the recording of waste tyres removed from the site.

6.3 Environmental Inspection and Auditing

Development Consent DA 453	3.53 and 6.7
Development Consent DA 494	C4.5
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 4.5

Performance during the reporting period	<p>Internal and external audits of the Patrick environmental management system were carried out in 2023 as per the audit schedule. The following makes the annual compliance review:</p> <p>Compliance audits: Patrick is required to arrange:</p> <ul style="list-style-type: none"> DA-453 – condition 6.7 Independent Environmental Audit (every three years) and a copy must be submitted within two months of commissioning the audit. DA-494 - condition C4.5 Environmental Auditing (annual), also assess compliance with the requirements of this consent, and other licences and approvals that apply to the development. <p>For 2023 period, two audits were conducted by an independent auditor (Derek Low, WolfPeak Pty Ltd) approved by the Secretary, on 11 January 2024.</p> <p>The two audit reports will be uploaded onto the DPIE Major Projects website; and a copy of the audit report for DA-494 will be sent to NSW Ports within two weeks of receipt of the final audit report.</p> <p>Annual reports: In addition, DA-453 and DA-494 require Patrick to submit -</p> <ul style="list-style-type: none"> ACR: DA-453 – condition 6.6 Annual Compliance Report AEMR: DA-494 – condition C4.2 Annual Environmental Management Report <p>The two annual report (AMER and ACR) will be uploaded onto the DPIE Major website; and a copy of the AEMR for DA-494 will be sent to NSW Ports.</p>
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Trend / key management implications	<p>Past Independent Environmental Audits have raised the different conditions in DA-494 versus DA-453, and duplication and obsolete conditions in DA-453. Patrick has prepared a draft proposed consolidation document and is waiting for details of potential major upgrade to rail area which may necessitate modification to approval conditions that could also address this finding in a consolidated manner. The Rail expansion project continued throughout 2023 and anticipated to be completed in 2024.</p>
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Implemented / proposed management actions	<p>Further investigate with the Department the application process to modifying a consolidated consent and propose modification to two consents for which there are different applicants.</p>
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6.4 Emergency Preparedness and Response

Development Consent DA-453	7.13
Development Consent DA-494	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Discharge Industrial Trade Wastewater, Consent 24490	NA
Trade Wastewater Discharge Schedule, Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 4.8
Performance during the reporting period	Patrick conducted a scheduled drill / exercise to test its Emergency Response Plan (EMP) in 2023.
Trend / key management implications	Nil.
Implemented / proposed management actions	Emergency Response Plan (and procedures) were reviewed 23 September 2023. OEMP was last reviewed 22 September 2023, next review planned for 2024.

6.5 Air Quality Management Plan

Development Consent DA-453	3.45, 3.46, 3.47 and 3.48
Development Consent DA-494	C2.1, C2.2, C2.3 and C2.4
EPA Licence 6962	O3.1
EIS Prediction & Conclusion	23.8.2
Discharge Industrial Trade Wastewater, Consent 24490	NA
Trade Wastewater Discharge Schedule, Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.1
Performance during the reporting period	<p>No visible dust emissions or complaints were reported to Patrick during 2023.</p> <p>Wharf and road sweeping are routinely carried out on the terminal to reduce build-up of debris and dust.</p> <p>No excavated material is piled on the main body of the terminal.</p>
Trend / key management implications	<p>The overall opportunity for odour and dust generation from operational areas of the Patrick terminal is considered very low.</p> <p>In addition, it is difficult to isolate Patrick’s contribution for the surround environment from other potential contributors such as traffic, roadworks, construction areas, neighbouring stevedores and/or nearby industries.</p> <p>Patrick relies on Patrick personnel (employees, contractors, and visitors) and regular environmental inspections to report any odour or build-up of dust/debris on the terminal. These events are investigated and were attributed to terminal activities they are cleaned up. Details are recorded in the Patrick HSE incident/event database (Noggin). If a report is received from a neighbour or a member of the community the event details are entered into the terminal’s Public Comment, Inquires & Complaints Register.</p>
Implemented / proposed management actions	<p>Patrick personnel to continue to conduct routine visual environmental inspections of the terminal (and the rail extension construction site) to verify that control measures are in place and functioning correctly and to identify / address any air quality issues or the presence of any deposited dust / debris.</p> <p>OEMP was last reviewed 22 September 2023, next review planned for 2024</p>

6.6 Stormwater Management Plan

Development Consent DA 453	3.26, 3.27, 3.28, 3.29, 3.30, 3.31, 3.32, 3.33, 3.34, 3.35 ^{Note1} , 3.36 ^{Note1} , 3.37, 5.1, 5.2, 5.3, 5.4 ^{Note1} , 5.5, 5.6, 5.7 ^{Note1} , 6.2 (a) and 6.4 (a) (^{Note1} MOD 8, 22 May 2014 includes the specific details of the EPL applicable at the time, since then the EPL has had several revisions and changed.)
Development Consent DA 494	C2.14 and C2.15
EPA Licence 6962	L1.1
EIS Prediction & Conclusion	16.4.2, 17.6.2, 18.4.2, 18.4.3, 18.5.2, 33.2.2, 33.3.2 and 33.5
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.2
Performance during the reporting period	<p>In March 2023, the four (4) Stormwater Quality Improvement Devices (SQIDs) which drain stormwater from the existing rail siding area to Penrhyn Estuary and located on the neighbouring property leased by Hutchison Ports from NSW Ports, were serviced.</p> <p>Note: The stormwater drains at rail have been closed off due to construction work being carried out by the rail extension project. Once the rail project has been completed the stormwater drains will be reinstated and will continue to be serviced as per the maintenance schedule.</p>
Implemented / proposed management actions	The next service the four (4) SQIDs (that drain stormwater from the existing rail area to Penrhyn Estuary) as soon arrangements can be made with Hutchison Ports when operations are not being conducted in the area.
Implemented / proposed management actions	OEMP was last reviewed 22 September 2023, next review planned for 2024.

6.7 Feral Animal Management Plan

Development Consent DA 453	NA
Development Consent DA 494	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	20.8.4 and 29.3.3
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.3
Performance during the reporting period	Housekeeping inspections are conducted periodically.
Trend / key management implications	Rodents appear to be low in numbers, while at certain times of the year pigeons roosting inside the Maintenance workshop. Refer to Section 6.13, Bird Hazard Management Plan.
Implemented / proposed management actions	<ul style="list-style-type: none"> - Continue to conduct housekeeping inspections as per the inspection and audit schedule. - OEMP was last reviewed 22 September 2023, next review planned for 2024.

6.8 Waste and Wastewater Management

Development Consent DA 453	3.38, 3.39, 3.40, 3.41, 3.42, 3.43, 3.44, 6.4(d), 7.5, 5.21, 7.22, 7.23 & 7.24
Development Consent DA 494	C2.13, C2.13A, C2.14 & C2.15
EPA Licence 6962	L2.1, L2.2, L2.3 & L2.4, O1.1, O4.1, O4.2
EIS Prediction & Conclusion	33.2, 33.3, 33.4, 33.5
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	Items 1 to 13
Patrick Operational Environmental Management Plan (OEMP)	Section 6.4

Performance during the reporting period	<p><u>Waste</u></p> <p>A high-level waste audit as conducted in 2023.</p> <p>All waste removal/transport/disposal service providers are engaged under a Service Agreement or a Purchase Order, and area licenced by the EPA for the appropriate scheduled activity. Waste skip bins are covered and routinely emptied.</p> <p>Site environmental inspections are conducted periodically and include an inspection of waste storage areas.</p> <p>Waste tyres are being disposed of from the facility, however the waste tyres are not being tracked in accordance with Protection of the Environment Operations (Waste) Regulation 2014, Clause 76 – Reporting on transportation of waste tyres solely within New South Wales.</p> <p>Trelleborg has provided a Scrap Tyre Analysis report recording the tyres serial number. Trelleborg is using Molycorp, which are an accredited participant of the TSA (Tyre Stewardship of Australia), and information has been collected as to how the tyres are being processed at end of life. Unfortunately, at the time of this report been prepared, Trelleborg has not been able to use EPA’s WasteLocate app to track waste tyres as they are not an authorised tyre receiver. This was identified as a limitation on the system and has been raised with the EPA.</p>
	<p><u>Wastewater</u></p> <p>Wastewater diverted to sewer is routinely monitored and tested as per the Patrick Industrial Trade Wastewater Consent (No. 24990, dated 19 June 2023). The Backflow Prevention Devices were last tested by Matic Plumbing Services (Vertifier – 083F5060, approved by Sydney Water) on 6 July 2023.</p> <p>The grease trap is pumped out and cleaned every 26 weeks.</p>

Trend / key management implications	The volume of waste (e.g., waste oil, and oily rags) recycled in 2023 has remained consistent with previous years as the recycling practices carried out by the Maintenance Department remains common practice.
Implemented / proposed management actions	<ul style="list-style-type: none">- Patrick will continue to monitor waste volumes using the Waste Register.- Install a process to track waste tyres in the absence of the EPA WasteLocate app not fully operating.- OEMP was last reviewed 22 September 2023, next review planned for 2024.

6.9 Dangerous Goods and Hazardous Chemicals/Substances Management Plan

Development Consent DA 453	7.4, 7.6, 7.7, 7.8, 7.9, 7.10
Development Consent DA 494	C2.16, C2.17, C2.18
EPA Licence 6962	A1 Scheduled Activity (Chemical storage); & O1.1
EIS Prediction & Conclusion	18.5.2, 28.10.1 and 32.2.4
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.5
Performance during the reporting period	<p>The two development consents cover different berths: Berth 6 (DA-494), and Berths 7, 8 and 9 (DA-453).</p> <p>Dangerous goods (i.e., shipping containers) are routinely spot checked by the Dangerous Goods Inspector / Officer from the Port Authority NSW to ensure red line cargo does not stay on the terminal past its allowable dwell time limit.</p> <p>During 2023 routine environmental inspections were conducted of the Operational and Maintenance work areas. The initial environmental inspections of the Maintenance areas identified several opportunities for improvement.</p>
Trend / key management implications	<p>Consistent and routine inspections of Maintenance areas and stores has resulted in significant improvements with handling / storing dangerous goods / hazardous chemicals.</p>
Implemented / proposed management actions	<ul style="list-style-type: none"> - Conduct routine environmental inspections, and audit of chemicals and dangerous goods and hazardous chemical storage areas will continue during the next reporting period. - OEMP was last reviewed 22 September 2023, next review planned for 2024.

6.10 Operational Noise Management Plan

Development Consent DA 453	3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 5.8 and 6.4 (e)
Development Consent DA 494	C2.5, C2.6, C2.7, C2.8, C2.9, C2.10, C2.11
EPA Licence 6962	L3.1, L3.2, L3.3, L3.4, L3.5, L3.6 and L3.7; Special Condition E1.1 and E1.2
EIS Prediction & Conclusion	22.4.2 and 22.5.2
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	6.6
Performance during the reporting period	<p>Noise mitigation is covered in the Site Induction which includes the requirements to minimise noise from operations and cargo handling.</p> <p>During 2023 there were nil public comments, inquires and complaints received by Patrick via the EPA and NSW Ports (refer to Section 9.3 – Public Comments, Inquiries and Complaints Register of this AEMR).</p> <p>Noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. Monitoring conducted in May 2023 and November 2023.</p> <p>The Patrick operational noise for during 2023 is considered to comply with the EPL day, evening, and night-time noise limits.</p> <p>Copies of the 2023 noise monitoring reports have emailed to the EPA, and NSW Ports.</p>
Trend / key management implications	There appears to be no significant impact on noise limits and noise emissions from the Patrick terminal during 2023.
Implemented / proposed management actions	<ul style="list-style-type: none"> - Noise monitoring will continue to be carried out at 6-monthly intervals as per the conditions of the Patrick Environmental Protection Licence (EPL 6962). - Patrick will provide the Biannual Noise Monitoring Compliance Reports directly to NSW Ports. NSW Ports (with permission from EPA NSW) will report on behalf of Patrick Terminals to facilitate a single point of contact for all noise reporting. NSW Ports have been approved by EPA NSW to provide all noise reports. - OEMP was last reviewed 22 September 2023, next review planned for 2024

6.11 Operational Traffic Management Plan

Development Consent DA 453	3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22, 3.23, 3.24, 3.25 and 6.4 (c)
Development Consent DA 494	C2.12
EPA Licence 6962	NA
EIS Prediction & Conclusion	21.10
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.7
Performance during the reporting period	<p>The current version of the Operational Traffic Management Plan (OTMP) does not appear to have the new truck grid and straddle crane refuelling facility arrangement documented. It is understood that a more current OTMP has been drafted (a draft version, dated 14 September 2023 was sighted during the audit) but this has yet to be finalised.</p>
Trend / key management implications	<p>A Patrick representative attends the Port Botany Rail Optimisation Group (PBROG) which meets to provide advice to Transport for NSW (TfNSW) on strategies and actions to optimise the movement of containers by rail to and from the container terminals at Port Botany. The PBROG Terms of Reference were issued 27 April 2016.</p> <p>In May 2018 the Australian Government announced a funding commitment to duplicate the remaining section of single line freight track between Mascot and Botany, known as the Botany Rail Duplication Project. The Botany Rail Duplication Project will complement future upgrades taking place in and around the airport and port precinct which aim to improve traffic flow and help reduce congestion on nearby roads.</p> <p>By 2045, NSW Ports has set a target of three million TEU per year to be transported by rail i.e., around 40 per cent of forecast container volumes. Achieving this target requires action by all stakeholders involved in the container rail supply chain including NSW Ports, all levels of government, rail operators, shipping lines, stevedores, and intermodal operators.</p> <p>Most of the imported containers will remain destined for metropolitan Sydney, with 80 per cent delivered within a 40-kilometre radius from Port Botany.</p>
Implemented / proposed management actions	<p>Finalise the updates to the OTMP.</p> <p>OEMP was last reviewed 22 September 2023, next review planned for 2024.</p>

6.12 Aviation Operational Impacts Management Plan

Development Consent DA-453	3.61
Development Consent DA-494	C2.21, C2.22, C2.23, C2.24 & C2.25
EPA Licence 6962	NA
EIS Prediction & Conclusion	25.5, 29.3.3, 29.4 and 30.4.2
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.8

Performance during the reporting period	<p>Patrick has complied with the requirements under the Development Consent (DA-494) and the EIS for crane height, light spill, and bird management.</p> <p>Patrick obtained approval under the Airports (Protection of Airspace) Regulations 1996 (APAR) (Ref: 12/5083) for the intrusion of three Leibherr quay cranes [Nos 12, 13 & 14] into prescribed airspace for Sydney Airport. Approval was granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of the Department of Infrastructure and Transport on 12 December 2012. In 2021 a fourth Leibherr quay crane (CS15) was installed at Berth 6 following approval granted by the Approval was granted by Department of Infrastructure, Transport, Regional Development and Communication on 29 June 2020.</p> <p>During the monitoring period (2023) there were no reported incidents of aviation impacts or aviation requested management of birds.</p>
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Trend / key management implications	<p>Terminal Lighting - Maritime Order 32 Schedule 1 (2) ... lighting requires adequate lighting during loading and unloading activities. In some cases, the ship will be unloaded / loaded at night and require sufficient lighting to undertake the operations.</p> <p>When vessels are not under stevedore operations, the quay crane lights (except the beacon lights) will be switched off to minimise the light glare or distraction to aircraft pilots.</p> <p>Bird Management - Where containers have leaked grain, the grain is swept up as soon as practicable.</p> <p>Vessels are generally berthed facing west, unless otherwise directed to face east by the harbour pilot reducing the light to surrounding residents and nearby aircraft.</p>
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Implemented / proposed management actions	OEMP was last reviewed 22 September 2023, next review planned for 2024.
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6.13 Bird Hazard Management Plan

Development Consent DA 453	NA
Development Consent DA 494	C2.25
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.9
Performance during the reporting period	During 2023 bird management continued inside the Maintenance workshop where pigeons tend to roost.
Trend / key management implications	<p>Patrick personnel are asked to report any aviation hazards or the presence of nesting or injured wildlife, including any eggs. Patrick has adopted the following measures to discourage bird attraction to the terminal:</p> <ul style="list-style-type: none"> • No eating is permitted outside of the building, • Use of enclosed rubbish bins to reduce the risk of attracting birds, • Control of littering through signage, induction training and regular toolbox talks; and <p>The design of rooves and guttering of terminal buildings to deny birds the opportunities to roost and make nests.</p>
Implemented / proposed management actions	OEMP was last reviewed 22 September 2023, next review planned for 2024.

6.14 Vegetation and Land Management Plan

Development Consent DA 453	3.57, 3.58, 3.59, 3.60 and 6.4(b)
Development Consent DA 494	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	Ch. 19 – Aquatic ecology, and Ch. 20 – Terrestrial ecology
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.10
Performance during the reporting period	During 2023 Patrick uses contractors to maintain the planted areas on site which are predominately in the car parking areas. Routine maintenance is carried out to ensure road signs are not obscured by tree branches.
Trend / key management implications	The terminal has predominately sealed surfaces which are routinely inspected, and repairs carried out as required. Vegetation is routinely managed to ensure road signs and visibility is not impaired.
Implemented / proposed management actions	OEMP was last reviewed 22 September 2023, next review planned for 2024.

6.15 Energy and Resources Management Plan

Development Consent DA 453	NA
Development Consent DA 494	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	20.8.4 and 29.3.3
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.11
Performance during the reporting period	<p><u>2022 – Water Resources Management Plan</u></p> <p>OEMP revised (version 3) while it does not include a specific <i>Water Resources Management Plan</i> it does includes:</p> <ul style="list-style-type: none"> • Stormwater Management Plan (Section 6.2) • Waste and Wastewater Management Plan (Section 6.4) • Energy and Resources Management Plan (Section 6.12) <p>Patrick is monitoring resource consumption include diesel and electricity usage.</p> <p>Annually Scope 1 and Scope 2 carbon emissions are reported to the National Pollution Inventory (NPI), and National Greenhouse and Energy Reporting (NGER).</p>
Trend / key management implications	<p>Electricity and fuel usage per TEU was similar in 2023 compared to 2022.</p> <p>NSW Ports arranged for water meter consumption to be provided to Patrick.</p>
Implemented / proposed management actions	<p>OEMP was last reviewed 22 September 2023, next review planned for 2024.</p>

6.16 Biosecurity and Customs (open/unpack containers) Management Plan

Development Consent DA 453	NA
Development Consent DA 494	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.12
Performance during the reporting period	The current issue of the terminal's – Biosecurity Incident Response Procedure (BIRP) is located in the Safety folder: 03- Legal Compliance – 06 – Biosecurity.
Trend / key management implications	Nil trends to report.
Implemented / proposed management actions	<ul style="list-style-type: none"> - HSE Manager to review the terminal's Biosecurity Incident Response Procedure (BIRP) with the Operations Manager etc. - OEMP was last reviewed 22 September 2023, next review planned for 2024

6.17 Sustainability Management Plan

Development Consent DA 453	NA
Development Consent DA 494	NA
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 6.13
Performance during the reporting period	Corporate Patrick has prepared an ESG strategy.
Trend / key management implications	Nil trends to report.
Implemented / proposed management actions	OEMP was last reviewed 22 September 2023, next review planned for 2024.

7. WATER MANAGEMENT

7.1 Water take

This Annual Review does not report on the water taken by the operation in the previous year. Water used by the Terminal is supplied by Sydney Water via a water meter.

The management of stormwater and wastewater is outlined in the following plans:

- Stormwater Management Plan, refer to Section 6.6 of this report (and the OEMP, Section 6.2)
- Waste and Wastewater Management Plan, refer to Section 6.8 of this report (and the OEMP, Section 6.4).

8. REHABILITATION

8.1 Rehabilitation performance during the reporting period

This Annual Review does not incorporate a summary of the rehabilitation performance of the operation against the rehabilitation targets in the Mining Operations Plan (MOP) / Rehabilitation Management Plan (RMP) as they do not apply to DA-453 (or DA-494).

9. Community

9.1 Community Consultative Committee

Development Consent DA 453	NA
Development Consent DA 494	C3.2 and C3.3
EPA Licence 6962	NA
EIS Prediction & Conclusion	NA
Industrial Trade Wastewater Discharge Consent - 24990	NA
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 4.7
Performance during the reporting period	<p><u>Background</u></p> <p>In September 2013, the Port Botany Community Consultative Committee was combined with the Port Botany Neighbouring Liaison Group to create the Port Botany Community Consultative Committee (PBCCC).</p> <p>NSW Ports is responsible for the PBCCC. Members of the PBCCC includes members from the local Port Botany community, tenants of Port Botany, local council, NSW Ports, EPA, etc.</p> <p><u>Meetings - 2023</u></p> <ul style="list-style-type: none"> - 28 February 2023 – Sam Steel attended from Patrick - 2 May 2023 – Sam Steel attended from Patrick - 1 August 2023 - 7 November 2023 <p><u>Minutes</u></p> <p>PBCCC Minutes available on the NSW Ports website: https://www.nswports.com.au/resources-filtered/port-botany-ccc-minutes</p>
Trend / key management implications	No trend / key management implications.
Implemented / proposed management actions	OEMP was last reviewed 22 September 2023, next review planned for 2024.

9.2 Handling Environmental Related Public Inquires, Comments and Complaints

Development Consent DA 453	3.63, 3.64,
Development Consent DA 494	C3.1
EPA Licence 6962	M2.1, M2.2, M2.3, M2.4, M3.1, M3.2 & M3.3
EIS Prediction & Conclusion	22.5.2
Industrial Trade Wastewater Discharge Consent - 24990	Schedule 1
Trade Wastewater Discharge Schedule - Permit 40110	NA
Patrick Operational Environmental Management Plan (OEMP)	Section 4.6
Performance during the reporting period	<p>Patrick operates a toll-free phone number (02) 9304 0308 solely for the community to use to contact Patrick with any comments, inquiries and/or complaints. The phone number is operational 24 hours 7 days a week. The phone number is tested weekly to ensure it is operational.</p> <p>The phone number is displayed on the front fence next to Patrick’s Port Botany Terminal Gate B105A adjacent fence and available on Patrick’s website: https://patrick.com.au/about/safety-and-environment/</p> <p>Patrick monitors all community concerns / enquires / feedback and complaints and responds to the parties involved. All public enquires are logged in the site Public Comment, Inquires & Complaints Register, and details of the findings and actions taken by Patrick are also recorded in the Patrick HSE incident database (Noggin).</p> <p>Each event is entered into the Patrick HSE incident database (Noggin) and relevant correspondence attached. Any complaints received are reported as part of the daily, weekly, and monthly environmental report.</p> <p>During 2023 there were zero (0) public comments, inquires and complaints received by Patrick or via the EPA and/or NSW Ports (refer to Section 9.3 – Public Comments, Inquiries and Complaints Register of this AEMR).</p>
Trend / key management implications	Complaints attributed to Patrick operations have remained steady at zero from 2022 to 2023.
Implemented / proposed management actions	OEMP was last reviewed 22 September 2023, next review planned for 2024.

9.3 Public Comments, Inquiries and Complaints Register

Table 11: Public Comments, Inquiries and Complaints Register: 1 January 2023 to 31 December 2023

No.	Date of Notification	Time of Notification	Direct or Indirect Feedback	Method (Means)	Type of Feedback	Details of Comment, Inquiry or Complaint (if none "nil")	Nature of Comment, Inquiry or Complaint	Details of Comment, Inquiry or Complaint Received	Attributed to Patrick Operations (Yes / No)	Action taken by Patrick (if nil – state reason)	Follow up by Patrick
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10. Independent Environmental Compliance Audit

The 2023 Independent Environmental Compliance Audit (IEA) covers DA-453, condition 6.7 an Independent Environmental Audit. It was conducted by Derek Low (WolfPeak Pty Ltd) an independent auditor approved by the DPIE Secretary and conducted 11 January 2024.

10.1 Compliance Status

Table 10.1: Audit Findings - Non-Compliance and Corrective Actions for: 2023

Audit Item No.	Cond. No.	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Proposed Action	Who By	When
DA 453 – Patrick Port Botany Redevelopment Approval						
IA2023_1	3.62	The development’s staff induction program shall incorporate special instructions relating to noise control and related “on the job” training, as deemed appropriate	The site induction and training material for storm pits and the new refuelling facility for the current audit period. The auditee also states that engineering controls and SOPs for cranes have been implemented to minimise noise risks. However, the auditor observes that training being delivered appears to be inconsistent with that described in Section 4.3 of the OEMP.	Review the environmental training delivered against the OEMP and condition 3.62. Update the training program in the OEMP to align with the requirements of condition 3.62 and existing training being delivered.	HSE Manager	August 2024
IA2023_2	6.4(c)	As part of the OEMP development, required under condition 6.3 of this consent, the Applicant shall prepare and implement the following Management Plans (c) a Transport Management Plan to outline management of traffic conflicts associated with the operation of the development, etc.	The current version of the Operational Traffic Management Plan (OTMP) does not appear to have the new truck grid and straddle crane refuelling facility arrangement documented. It is understood that a more current OTMP has been drafted but this has yet to be finalised.	Finalise the update to the OTMP.	HSE Manager	March 2024

11. Incidents during the reporting period

There were in 2023:

- In total 15x environment events (cross the entire terminal i.e., DA-494 and DA-453) were recorded in the Patrick incident reporting management system for tracking purposes; none required to be reported to the Department or EPA. (Note: Public comments, inquires or complaints are reported separately, refer to Section 9.)

Table 11.1: Environmental Related Incidents Reported - 2023

Event No.	Date / Incident No.	Area of Impact	Description / Classification	Action Taken	Status
-	-	-	-	-	-

12. APPENDICES

Appendix A: Patrick Redevelopment - Condition of Approval: DA 453-12-2002-I (MOD 8)

Table A.1 - CoA 453, Assessment Compliance Rating

Category	Definition
Compliant	Complies with all requirements of the condition.
Observation	Observed during the assessment which provides an opportunity or is not necessarily best practice or requires further consideration.
Non-Compliant	Does not fully comply with all requirements of the condition, categorised as 'Minor' or 'Major' depending on the severity.
Not Applicable	Either there are no compliance issues, was not applicable at the time of assessment, or is not the responsibility of Patrick.

Table A.2 - CoA 453, Schedule 3 – Compliance (Applicant: Patrick Stevedores Operations Pty Ltd), MOD 8 approved 22 May 2014

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
1	General		
	Obligation to Minimise Harm to the Environment)		
1.1	The Applicant shall implement all practicable measures to prevent or minimise any harm to the environment that may result from the construction and operation of the development.	<p>Background (do not remove): The initial OEMP and its appendices were approved by the Director-General, 25 March 2015 in a letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease).</p> <p>2023 – Status: A copy of the current OEMP (dated 22 September 2023) is available.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
1	General		
	Scope of Development		
1.2	<p>¹ The Applicant shall carry out the development generally in accordance with:</p> <ul style="list-style-type: none"> a. Development application DA-453-12-2002-i by, lodged with the Department on 16 December 2002, accompanied <i>Patrick Port Botany Container Terminal Upgrade, Environmental Impact Statement</i> (three volumes), dated November 2002 and prepared by Parsons Brinckerhoff; b. Additional information provided in respect of development application DA-453-12-2002-i, including: <ul style="list-style-type: none"> i. The letter from Parsons Brinckerhoff to Planning NSW dated 17 April 2003 titled <i>Patrick Port Botany EIS – Response to Hazard and Risk Issues</i>; ii. Upgrade of <i>Port Botany Container Terminal, Revised Noise Assessment</i>, dated May 2003 and prepared by Wilkinson Murray Pty Ltd; iii. <i>Supplementary Avifauna Survey & Assessment of Impacts</i>, dated 26 May 2003 and prepared by AMBS Consulting; iv. The memorandum from Parsons Brinckerhoff dated 30 May 2003 and titled <i>Patrick Water Quality Assessment</i>; v. The amended development application submitted to the Department on 30 May 2003 and associated drawings; vi. The letter from Patrick Terminals to Planning NSW dated 11 June 2003 titled <i>Patrick Port Botany EIS</i>; vii. The memorandum from Fielders Engineers Pty Ltd to Parsons Brinckerhoff dated 20 June 2003 titled <i>Transport NSW’s Comments</i>; viii. The letter from Qest Consulting Group to Parsons Brinckerhoff dated 3 July 2003 titled <i>Preliminary Hazard Analysis for Patrick Stevedores</i>; c. Modification application MOD-56-6-2004-i, lodged with the Department on 28 May 2004 and accompanied by the supplementary document titled <i>Application to Modify Development Consent</i>, dated 19 May 2004; d. Modification application MOD-83-8-2004-i, lodged with the Department on 16 August 2004, accompanied by four plans titled <i>Proposed Staff Amenities</i> (Job No. 0400107, Revision C) numbered 01 to 04 respectively; 	<p>Background (do not remove): Assessment of compliance is made against the consolidated condition approval inclusive of MODS 1-8 and considers the EIS and associated documents.</p> <p>2023 - Status:</p> <p>Compliance with these requirements is verified through the Patrick Annual Compliance Report, compliance reports and the annual independent environmental compliance audit process.</p>	Compliant

¹ Incorporates EPA General Terms of Approval – A1.1

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
1	General		
	Scope of Development <i>(continued)</i>		
1.2	<p>e. Modification application MOD-83-8-2004-i, lodged with the Department on 16 August 2004, accompanied by four plans titled <i>Proposed Staff Amenities</i> (Job No. 0400107, Revision C) numbered 01 to 04 respectively;</p> <p>f. Modification application MOD-156-10-2005-i, lodged with the Department on 6 October 2005, accompanied correspondence dated 6 October 2005 and titled <i>S96(1A) Application: Patrick Corporation – Port Botany Terminal</i> and plan titled <i>Proposed Administration Building</i> (Job No. PDS-06-38, Revision A).</p> <p>g. Modification application MOD-38-3-2006-i, lodged with the Department on 2 March 2006, accompanied correspondence dated 1 March 2006 and titled <i>S96(1A) Application: Patrick Corporation – Port Botany Terminal</i>, and plans titled <i>Proposed Administration Building</i> (Job No. PDS-06-38, Revision D);</p> <p>h. Modification application MOD-38-4-2007-i, lodged with the Department on 11 April 2007, accompanied correspondence dated 10 April 2007 and titled <i>S.96(1A) Application, Patrick Corporation – Port Botany Terminal</i>, and plans titled <i>Proposed Additional Staff Amenities</i> (Job No. PDS-07-81, Issue E);</p> <p>i. Modification application MOD-76-9-2007-i, lodged with the Department on 24 August 2007, accompanied correspondence dated 19 June 2007 and 5 November 2007 titled <i>S.96(1A) Application, Patrick Corporation – Port Botany Terminal</i>, and the following plans:</p> <ul style="list-style-type: none"> i. Proposed <i>Camco Trafficgate</i> (Job No. PDS-07-84, Issue: B, Drg. No.: 01); ii. Proposed <i>Camco Trafficgate</i> (Job No. PDS-07-84, Issue: B, Drg. No.: 02); iii. Proposed <i>Camco Trafficgate</i> (Job No. PDS-07-84, Issue: B, Drg. No.: 01); iv. <i>Truck Portal Gate Frame Arrangement and Details</i> (Project No. SY070313, Dwg No. S5.00, Issue A); v. <i>Train Portal gate Frame Arrangement and Details</i> (Project No. SY070313m Dwg No. S4.00, Issue E) vi. <i>Train Portal Gate Frame Footing Plan and Details</i> (Project No. SY070313, Dwg No. S4.00, Issue D) vii. <i>Structural Notes</i> (Project No. SY070313, Dwg No. S1.00, Issue D) <p>j. Modification application DA-453-12-2002-i, MOD 7, accompanied by an assessment report titled <i>Section 75W Modification Port Botany Container Terminal Environmental Assessment</i> prepared by GHD and dated June 2013; and</p> <p>k. The conditions of this consent. In the event of an inconsistency between a condition of this consent and the documents listed under (a) to (i) above, the conditions of consent shall prevail to the extent of the inconsistency.</p>	<i>Continued from the previous page</i>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
1	General		
	Staged Development		
1.3	Under Section 80(4) of the Act, this consent applies to the development, as described in Schedule 1, only.	Background (do not remove): Noted. 2023 – Status: No change.	Compliant
1.4	Deleted	Background (do not remove): Noted 2023 – Status: No change.	Not Applicable
	Temporary Structures		
1.4A	This consent permits the erection and use of temporary staff accommodation as described in the documents listed under condition 1.2(c) of this consent.	Background (do not remove): Noted. 2023 – Status: No change.	Not Applicable
1.4B	All temporary staff accommodation erected and utilised on the site shall be completely removed from the site once the permanent accommodation is completed.	Background (do not remove): Noted 2023 – Status: No change.	Compliant
	Exceptions		
1.5	The Applicant shall delete the proposed revegetation and/or rehabilitation landscaping works in the eastern portion of the boat ramp carpark, marked in red, on the Proposed Landscape Layout (Figure A9 Rev C).	Background (do not remove): Noted 2023 – Status: No change.	Not Applicable
	Provision of Documents		
1.6	Where applicable, the Applicant shall provide all documents and reports required to be submitted to the Secretary under this consent in an appropriate electronic format. Provision of documents and reports to other parties, as required under this consent, shall be in a format acceptable to those parties and shall aim to minimise resource consumption. Note: At the date of this consent, an appropriate electronic format for submission to the Director-General is the “portable document format” (pdf) or another format that may be readily converted to pdf.	Background (do not remove): The Department has established the post approval portal for lodgement of all post approval and compliance related documentation. 2023 – Status: During the reporting period Patrick used the DPIE portal to upload reports as per the DPIE requirements.	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
1	General		
	Statutory Requirements		
1.7	The Applicant shall ensure that all licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.	<p>Background (do not remove): The Federal EPBC Approval 2002/543 and EPL 6962 remain valid. The Sydney Water consent /permits remain current:</p> <ul style="list-style-type: none"> Discharge Industrial Trade Wastewater Consent No. 24990 Trade Wastewater Discharge Schedule Permit No. 40110 (grease arrestor) <p>2022 – Status: Permits, licences and approvals, as issued by various government authorities, have been obtained for the operation of the terminal and are listed in Section 2.3 of the OEMP (updated 22 September 2023)</p>	Compliant
	Integrated Approvals		
1.8	No works are to commence at the site prior to a Part 3A Permit under the <i>Rivers and Foreshores Improvement Act 1948</i> being obtained from the Waterways Authority and a Licence under the <i>Protection of the Environment Operations Act 1997</i> being obtained from the EPA. A copy of these approvals shall be submitted to the Secretary prior to the issue of the construction certificate by the Principal Certifying Authority.	<p>Background (do not remove): It is noted that the <i>Rivers and Foreshores Improvements Act 1948</i> was repealed in 2008. This legislation relates to the construction phase so is no longer relevant to Patrick operations.</p> <p>2023 – Status: No change.</p>	Not Applicable
	Compliance		
1.9	The Applicant shall ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent.	<p>2023 – Status: The training being delivered appears to be inconsistent with that described in Section 4.3 of the OEMP (dated 22 September 2023), Section 4.3 – Induction and Training requirements.</p> <p>Action: Finalise the update to the OTMP.</p>	Observation

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
1	General		
	Compliance (Continued)		
1.10	The Applicant shall be responsible for the environmental impacts resulting from the actions of all persons on the site, including any visitors.	<p>Background (do not remove): Patrick uses an incident management reporting system (Noggin) to record all types of environmental events.</p> <p>2023 – Status: 15x environment events were recorded in Patrick’s incident reporting management system (Noggin) for tracking purposes. Nil (0) of these events were identified as having been in contact with or impacted the environment.</p>	Compliant
1.11	Prior to the commencement of construction of the development, the Applicant shall certify in writing, to the satisfaction of the Director-General, that it has obtained all the necessary statutory approvals for the construction works and complied with all relevant conditions of this consent and/or any other statutory requirements of this development pertaining to that aspect of the development to be constructed.	<p>Background (do not remove): Applicable to construction works etc.</p>	Not Applicable
1.12	Prior to the commencement of operation of the development, the Applicant shall certify in writing, to the satisfaction of the Director-General that it has obtained all the necessary statutory approvals for operations and complied with all relevant conditions of this consent and/or any other statutory requirements for this development.	<p>Background (do not remove): The Pre-Operational Compliance Report for the Patrick Port Botany ‘Knuckle’ and Ramp D (dated December 2015) was approved by the Director-General on 4 February 2016 (refer to letter from Ms Karen Harragon (DPE) to Mr Trevor Brown (NSW Ports)).</p> <p>2023 – Status: No change.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
1.13	Notwithstanding conditions 1.11 and 1.12 of this consent, the Director-General may require an update on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the reasonable requirements of the Director-General and be submitted within such period as the Director-General may agree.	<u>2023 – Status:</u> This Annual Compliance Report will be submitted to the DPIE for 29-Feb-24.	Compliant
1.14	The Applicant shall meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of this consent, and general consistency with the EIS and those documents listed under condition 1.2 of this consent. The Director-General may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the Director-General may agree.	<u>2023 – Status:</u> This Annual Compliance Report will be submitted to the DPIE for 29-Feb-24.	Compliant
1	General		
	Dispute Resolution		
1.15	In the event that a dispute arises between the Applicant and Council or a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter shall be referred by either party to the Director-General, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding on all parties. For the purpose of this condition, "public authority" has the same meaning as provided under Section 4 of the Act. Note: Section 121 of the <i>Environmental Planning and Assessment Act 1979</i> provides mechanisms for resolution of disputes between the Department, the Director-General, councils and public authorities.	<u>2023 – Status:</u> During 2023 there were no known disputes in relation to this condition.	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
2	Construction Certification		
2.1	In relation to the construction an occupation of the development, the Applicant shall provide to the Director-General and Council the following: (a) Written notification of the appointment of a Principal Certifying Authority prior to the commencement of construction; (b) Copies of all Construction Certificates issued for the development prior to the commencement of construction; (c) Written notification of the intention to commence construction work, to be received at least two working days prior to the commencement construction. In the event that more than one Construction Certificate is issued, notification shall be provided prior to the commencement of construction the subject of each Certificate; (d) Copies of all Occupation Certificates issued for the development prior to occupation; and (e) Written notification of the intention to occupy the development, to be received at least two working days prior to occupation. In the event that more than Occupation Certificate is issued, notification shall be provided prior to the occupation the subject of each Certificate.	Background (do not remove): Applicable to construction period of the development etc.	Not Applicable
2.2	The Application shall provide all information necessary for the Principal Certifying Authority to determine that the development will comply with: (a) The Building Code of Australia; and (b) All relevant provisions of the Act, including the payment of a long service levy under Section 34 of the <i>Building and Construction Industry Long Service Payments Act 1986</i> .	Background (do not remove): Applicable to construction period of the development etc.	Not Applicable
3	Environmental Performance		
Demolition			
3.1	All demolition work shall be carried out in accordance with <i>AS2601-2001 The Demolition of Structures</i> .	Background (do not remove): Applicable to construction period of the development etc.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023																			
Hours of Operation - Construction																						
3.2	² Construction activities associated with the development, including the delivery of material to and from the site, shall only be carried out between the following hours: (a) Between 7:00am and 6:00pm Monday to Friday inclusive; (b) Between 8:00am to 2:00pm Saturdays; and (c) At no time on a Sunday or a public holiday.	Background (do not remove): Applicable to construction period of the development etc.	Not Applicable																			
Hours of Operation - Construction																						
3.2A	Notwithstanding condition 3.2 of this consent, the Applicant may undertake construction of road pavement works required under this consent between 7:00am and 10:00pm Mondays to Fridays' and between 8:00am and 2:00pm on Saturdays. No pavement works shall be conducted on Sundays or public holidays. All pavement works shall be undertaken to strictly comply with the noise limits specified under condition 3.3 of this consent.	Background (do not remove): Applicable to construction period of the development etc.	Not Applicable																			
Noise Limits																						
3.3	³ Noise generated by the development shall not exceed the noise limits presented in the table below, unless otherwise agreed by the Director-General:	Background (do not remove): The noise limits within the EPL are different to those quoted here and in DA494. Note: Patrick did not report a recorded exceedance in the EPA Annual Return 1 April 2018 to 31 March 2019, based on an email (20 July 2016) from the EPA advising that Patrick was not deemed non-compliant based on the difficulty of attributing the detected noise levels in the community as having singularly come from Patrick's operations.	Compliant																			
	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th rowspan="2">Location</th> <th colspan="2">Day</th> <th colspan="2">Evening</th> <th colspan="2">Night</th> </tr> <tr> <th>L_{Aeq} (15 min)</th> <th>L_{A1} (1 min)</th> <th>L_{Aeq} (15 min)</th> <th>L_{A1} (1 min)</th> <th>L_{Aeq} (15 min)</th> <th>L_{A1} (1 min)</th> </tr> </thead> <tbody> <tr> <td>Most affected residential premises</td> <td>55</td> <td>55</td> <td>43</td> <td>55</td> <td>43</td> <td>55</td> </tr> </tbody> </table>	Location		Day		Evening		Night		L _{Aeq} (15 min)	L _{A1} (1 min)	L _{Aeq} (15 min)	L _{A1} (1 min)	L _{Aeq} (15 min)	L _{A1} (1 min)	Most affected residential premises	55	55	43	55	43	55
Location	Day		Evening		Night																	
	L _{Aeq} (15 min)	L _{A1} (1 min)	L _{Aeq} (15 min)	L _{A1} (1 min)	L _{Aeq} (15 min)	L _{A1} (1 min)																
Most affected residential premises	55	55	43	55	43	55																

³ EPA General Terms of Approval – L6.1

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Noise Assessment Report			
3.4	<p>⁴ For the purpose of condition 3.3 of this consent:</p> <p>(a) Day is defined as the period from 7.00am to 6.00pm Monday to Saturday and 8.00am to 6.00pm Sundays and Public Holidays;</p> <p>(b) Evening is defined as the period from 6.00pm to 10.00pm; and</p> <p>(c) Night is defined as the period from 10.00pm to 7.00am Monday to Saturday and 10.00pm to 8.00am Sundays and Public Holidays.</p>	<p>Background (do not remove): Only applicable to construction period of the development etc.</p> <p>2023 – Status: See CoA 3.3 above.</p>	Compliant
3.5	<p>⁵ Within six (6) months of the date of this consent, the Applicant shall submit a Noise Assessment Report to the Director-General and the EPA for approval. The report shall be prepared by a suitably qualified and experienced specialist in the field of acoustics. The report shall contain the following information:</p> <p>(a) A critical review of all measures capable of achieving a reduction in noise emitted by operation of the facility during and upon completion of the development phase including the timetable for implementation of each measure. The report shall contain sufficient information to justify the claim that all reasonable and feasible noise control measures have been incorporated into the redevelopment of the facility so that the noise limits specified in condition 3.3 of this consent, have been achieved as early as possible prior to that date;</p> <p>(b) A timetable specifying dates by which all reasonable and feasible measures will be implemented as identified in (a) above; and</p> <p>(c) Identification and timetabling of noise control measures to reduce noise from existing plant and equipment.</p>	<p>Background (do not remove): The initial Operational Noise Management Plan (ONMP), dated 15 January 2015 was developed for the site, and is attached to Patrick's OEMP.</p> <p>Which was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)).</p> <p>2023 – Status: Refer to OEMP (dated 22 September 2023), Section 6.6 – Operational Noise Management Plan.</p>	Compliant
3.6	<p>⁶ Noise from the site shall be measured at the most affected point on or within the residential boundary, to determine compliance with the noise limits in condition 3.3 of this consent. Where it can be demonstrated that direct measurement of noise from the site is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the <i>NSW Industrial Noise Policy</i>.</p> <p>The modification factors provided in Section 4 of the <i>NSW Industrial Noise Policy</i> shall be applied to the measured noise levels where applicable.</p>	<p>2023 – Status: Biannual noise monitoring reports were completed for May and November 2023, referred to in condition 3.3 satisfy this requirement. Copies were sent to the EPA and NSW Ports.</p>	Compliant

⁴ EPA General Terms of Approval – L6.2; ⁵ EPA General Term of Approval – E3.1; ⁶ EPA General Term of Approval – L6.3

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.7	⁷ Noise from the site shall be measured at 1 metre from the bedroom window to determine compliance with the LA1 (1 minute) and LA MAX noise limits in condition 3.3 of this consent.	2023 – Status: As above. This requirement is included in the scope of works for the acoustic noise monitoring reports as per the current EPL 6962. The biannual noise compliance monitoring reports are completed for May and November 2023. The noise reports identify this requirement and satisfactorily address it.	Compliant
3.8	⁸ The noise emission limits identified in condition 3.3 of this consent apply under meteorological conditions of: (a) wind speeds of up to 3 m/s at 10 metres above ground level; and (b) temperature inversion conditions of up to 3°C/100 metres.	2023 – Status: This requirement is included in the scope of works for the acoustic noise monitoring reports as per the current EPL 6962. The biannual noise compliance monitoring reports are completed for May and November 2023. The noise reports identify this requirement and satisfactorily address it.	Compliant
Traffic and Transport Impacts			
Road Improvements			
3.9	The Applicant shall fund and construct the following road works to the satisfaction of the Council and the Roads and Maritime Service: (a) Upgrade of the Botany Road / Foreshore Road / Penrhyn Road intersections to provide: i. Dual eastbound right turn lanes or a lengthened single right turn lane from Foreshore Road to Penrhyn Road; and (b) A westbound continuous slip left turn lane from Penrhyn Road to Foreshore Road. (c) Construction of a roundabout intersection at Penrhyn Road / Boat Ramp Access Road / Inter terminal Access Road. The roundabout shall be designed to accommodate a u-turn manoeuvre by a single B-double vehicle. (d) Construction of a new access road to the Penrhyn Boat Ramp.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.10	The Applicant shall complete the upgrade of the Foreshore Road / Penrhyn Road / Botany Road intersection within two (2) years of the date of this consent, unless otherwise agreed by the Director-General. Commencement of road construction works required under this consent shall not commence until the Applicant has consulted with the owner / occupier of the Caltex (within access from Penrhyn Road) and demonstrated to the satisfaction of the Director-General that the median strip closure on Penrhyn Road will not cause an access conflict at that development.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable

⁷ EPA General Term of Approval – L6.4; ⁸ EPA General Term of Approval – L6.5

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.11	The roadworkers in condition 3.9 of this consent shall be designed and constructed in accordance with RMS requirements and standards. Detailed design plans of the proposed road works shall be submitted to the RMS for approval prior to construction. Note: A plan checking fee and lodgement of a performance bond may be required from the Applicant prior to the release of the approved road design plans by the RMS.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.12	The shoulders of the new boat ramp access road shall be constructed with concrete edge strips.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.13	The new boat ramp access road shall be completed prior to the closure of the existing Penrhyn Road access to the boat ramp.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
Transport Code of Conduct			
3.14	Prior to the commencement of operations, the Applicant shall submit for the Director-General’s approval a Transport Code of Conduct for the development. The Code shall outline the management of traffic impacts associated with the development and minimum requirements for the movement of heavy vehicles to and from the site. The Code shall address the requirements of Council and shall include, but not necessarily be limited to: (a) restrictions to routes, where relevant; (b) restrictions to the hours of transport operations to avoid travelling through built-up areas late at night or at times of high traffic flows in those areas; and (c) minimum requirements for vehicle maintenance to address noise and exhaust emissions.	Background (do not remove): The initial Operational Traffic Management Plan (OTMP), dated 3 March 2015 was developed for the site as Appendix E to the OEMP. Patrick’s OTMP as part of the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). 2023 – Status: Refer to Patrick’s OEMP (version 3, 4-Jul-2022) – Section 6.7, Operational Traffic Management Plan.	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Parking			
3.15	The Applicant shall ensure that any parking spaces within the boat ramp parking area, that are required for the construction of the new access road shall be replaced with an equivalent number and size of parking spaces.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.15A	All parking associated with construction shall be temporary, provided within construction compounds and located wholly within the site.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.15B	The site shall provide a maximum of 333 car parking spaces within two new carparks, of the total number of spaces, at least two shall be for visitors parking and one mobility impaired space provided, located adjacent to building entries and clearly delineated. All car parking, landscaping and bicycle parking shall be provided and designed in accordance with the <i>Port Botany Development Code 2012</i> .	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.16	The staff and visitor’s carpark shall be designed to comply with <i>AS2890.1 1993 Parking Facilities – Off-Street Car Parking</i> .	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.17	Disable, visitor and service vehicle parking spaces shall be clearly signposted and designated in accordance with relevant Australian Standards.	Background (do not remove): Disable, visitor and service vehicle parking spaces are clearly signposted and designated. 2023 – Status: No change.	Compliant
Access and Internal Road Works			
3.18	All driveways shall be clearly signposted and designed to accommodate the largest vehicle likely to use the site.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.19	Directional pavement arrows shall be installed on all internal roads.	<p>Background (do not remove): Directional pavement arrows shall be installed on all internal roads.</p> <p>2023 – Status: Patrick periodically review the condition of direction arrows on roadways and scheduled repainting accordingly.</p>	Compliant
3.20	The design of all internal roadways shall be wide enough to accommodate through traffic and turning two-way traffic.	<p>Background (do not remove): Through and turning two-way traffic accommodated.</p> <p>2023 – Status: No change.</p>	Compliant
3.21	The design of the truck marshalling areas, driveways, and sight distances shall comply with AS 2890.2-2002 Parking Facilities – Off-Street Commercial Vehicle Facilities.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable
3.22	Vehicles associated with the development are not permitted to park, queue or stand on Penrhyn Road, Foreshore Road or the boat ramp car park and access road at any time.	<p>Background (do not remove): On 5 December 2018 Patrick advised DPE of their understanding this condition relates to an iteration of ‘Penrhyn Road’ which no longer exists.</p> <p>Penrhyn Road used to run west alongside the Penrhyn Estuary to the public boat ramp but, following the grade separation, the road was substantially reconfigured and the land that this condition to (being the old Penrhyn Road and the boat ramp) now forms part of the Hutchison Rail Terminal. It is noted the section of road more recently referred to as Penrhyn Road, at the time of issuing DA-453, was known as the ‘Inter-Terminal Access Road’.</p> <p>Patrick advised this condition was replaced by DA-494 B2.18. DPE replied 7 December 2018 and advised no further questions at this stage.</p> <p>2023 – Status: No complaints relating to parking or queuing were raised during 2023.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.23	No parking shall be permitted on the internal roadways outside the designated parking areas.	Background (do not remove): Patrick does not permit parking of vehicles on internal roadways within the terminal. 2023 – Status: No change.	Compliant
3.24	All trucks entering the development shall be wholly contained within the site before being required to stop.	Background (do not remove): Trucks entering the site are contained within the site before being required to stop. 2023 – Status: No change.	Compliant
3.25	The use of landscaping shall not affect driver sight distance for vehicles entering or exiting the site.	Background (do not remove): Maintenance of landscaping is periodically carried out to ensure sight lines are not affected. 2023 – Status: Refer to Patrick’s OEMP (dated 22 September 2023) – Section 6.10, Vegetation and Land Management Plan.	Compliant
Water Quality Impacts			
Erosion and Sediment Control			
3.26	⁹ The proposed works shall be carried out so that: (a) No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of Botany Bay; and (b) No materials are likely to be carried by natural forces to the bed or shore or into the waters of Botany Bay.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.27	¹⁰ Any material that does enter Botany Bay shall be removed immediately.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable

⁹ Waterways Authority General Terms of Approval; ¹⁰ Water

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.28	¹¹ The Applicant shall prepare and implement a Soil and Water Management Plan, as required by condition 6.2 (a) of this consent, to manage erosion, sedimentation and other pollutants during construction of the proposed works. The plan shall be prepared by a suitably qualified person(s). Best practice methods shall be adopted for the on-site control of runoff, sediment and other pollutants during, and post, construction. The methods employed shall be in accordance with the relevant specifications and standards contained in the Department of Housing’s Managing Urban Stormwater: Soils and Construction” Manual (1998) and any other relevant Council requirements.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.29	¹² Any material that is to be stockpiled on site shall be stabilised to prevent contamination, erosion or dispersal of the material. Consideration should be given to covering stockpiles when not in use. The erosion, sediment and pollution control system shall be effectively maintained at or above design capacity for the duration of the works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.30	¹³ Demolition and construction works shall be carried out in a manner that minimises the potential for materials, including sediment and other pollutants to enter Botany Bay. In this regard, a combination of temporary measures such as tarpaulins, booms, silt screens and barriers may be required when carrying out particular works.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
3.31	All soil and/or vegetation disturbed or removed from the site shall be disposed of to, or stored at, an appropriate location where it cannot be washed off the site.	Background (do not remove): Applicable to construction period of the development etc. 2022 – Status: No change.	Not Applicable
3.32	All construction vehicles exiting the site, having had access to unpaved areas, shall depart via a wheel wash facility. Note: Under section 13TA of the Maritime Services Act, 1935, the Applicant is required to obtain the prior written approval of the Waterways Authority to pipe stormwater, excavate or remove soil, sand or other material from land within a distance of 10 metres from the mean highwater mark. Further details regarding this approval can be obtained from the Property Services Branch (Phone 9563 8808).	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable

¹¹ Incorporates Waterways Authority and EPA General Terms of Approval - O 4.1; ^{12 & 13} Waterways Authority General Terms of Approval

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3	Environmental Performance		
	Pollution of Waters		
3.33	¹⁴ Except as may be expressly provided by a licence issued under the <i>Protection of the Environment Operations Act 1997</i> in relation of the development, section 120 of the <i>Protection of the Environment Operations Act 1997</i> shall be complied with and in connection with the carrying out of the development.	<p>2023 – Status:</p> <p>No water quality monitoring is required by the EPL (6962) and there are no licenced discharge points.</p> <p>Advanced incident reporting protocols in place. Patrick has drafted a ‘Process for Notify Pollution Incidents’ procedure, dated 9/1/2023 which includes a better reporting protocol to better align with the POEO Act. Procedure indicates that the HSE Manager is responsible for taking immediate action to determine if the incident requires notification under section 148 of the POEO Act.</p> <p>In total 15 x environmental events recorded in the incident management systems; none required to be reported to EPA.</p>	Compliant
	Concentration Limits		
3.34	¹⁵ The concentration limit of a pollutant discharged at Point 1 of the existing licence, shall not exceed the concentration limits specified for that pollutant in the table in condition 3.36 of this consent.	<p>Background (do not remove): Discharges from Point 1 are referenced in the EPL version dated 18 April 2011. Patrick requested in a letter to the EPA (15 April 2013) the removal of reference to Discharge Point 1 from the EPL.</p> <p>No water quality monitoring is required by the EPL 6962 (1 September 2020) and there are no licenced discharge points.</p> <p>2023 – Status: No change.</p>	Not Applicable

¹⁴ EPA General Terms of Approval - L 1.1 and A 2.1;

¹⁵ EPA General Terms of Approval - L 3.1

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023												
3.35	<p>¹⁶ Where a pH quantity limit is specified in the table in condition 3.36 of this consent, the specified percentage of samples shall be within the specified ranges.</p>	<p>Background (do not remove): Refer to condition 3.34 above. No water quality monitoring is required by the EPL (6962) and there are no licenced discharge points.</p> <p>2023 – Status: No change.</p>	Not Applicable												
3.36	<p>¹⁷ To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.</p> <p style="text-align: center;">Discharge Location - Point 1</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #D3D3D3;">Pollutant</th> <th style="background-color: #D3D3D3;">Unit of Measure</th> <th style="background-color: #D3D3D3;">100% Concentration Limit</th> </tr> </thead> <tbody> <tr> <td>Oil and Grease</td> <td>mg/L</td> <td>10</td> </tr> <tr> <td>Total Suspended Solids</td> <td>mg/L</td> <td>30</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>6.5 – 8.5</td> </tr> </tbody> </table>	Pollutant	Unit of Measure	100% Concentration Limit	Oil and Grease	mg/L	10	Total Suspended Solids	mg/L	30	pH	pH	6.5 – 8.5	<p>Background (do not remove): This discharge point was made redundant by the construction of the covered Maintenance workshop area. (Note: A Consent to Discharge Industrial Trade Wastewater (No. 24990) is in place with Sydney Water for discharges from this area.)</p> <p>2023 – Status: No change.</p>	Not Applicable
Pollutant	Unit of Measure	100% Concentration Limit													
Oil and Grease	mg/L	10													
Total Suspended Solids	mg/L	30													
pH	pH	6.5 – 8.5													
Acid Sulfate Solids															
3.37	<p>¹⁸ In the event that acid sulfate soils are encountered during the works, all works with the potential to disturb the material are to cease. The Applicant shall notify the Waterways Authority immediately and prepare and submit an acid sulfate soils management plan to the Waterways Authority for approval prior to any work recommencing. The management plan shall be prepared in accordance with the NSW Acid Sulfate Soils Manual.</p>	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable												
3.38	<p>¹⁹ The Applicant shall not cause, permit, or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing, or disposal; or any waste generated at the premises to be disposed at the premises, except as expressly permitted by a licence issued by the EPA under the <i>Protection of the Environment Operations Act 1997</i>. This condition only applies to the storage, treatment, processing, reprocessing, or disposal; or any waste generated at the premises if it requires an environment protection licence under the <i>Protection of the Environment Operations Act 1997</i>.</p>	<p>2023 – Status:</p> <p>OEMP (dated 22 September 2023) – Section 6.4, Waste and Wastewater Management Plan.</p> <p>EPL 6962 Condition L2 allows Patrick to receive types of waste at the premises.</p> <p>Records of waste oils and filters, transporters, and waste oil receival locations are maintained in a Waste Register.</p>	Compliant												

¹⁶ EPA General Terms of Approval - L 3.2; ¹⁷ EPA General Terms of Approval - L 3.3; ¹⁸ Waterways Authority - General Terms of Approval; ¹⁹ EPA General Terms of Approval - L 5.1 and L 5.2

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.39	²⁰ Except as expressly permitted by a licence issued by the EPA under the <i>Protection of the Environment Operations Act 1997</i> , only the hazardous and/or industrial and/or Group A waste listed below may be generated and/or stored at the premises: (a) waste oil/water, hydrocarbons/water mixtures or emulsions; and (b) grease trap waste.	Background (do not remove): Waste generated from Maintenance activities are classified as J120 waste oil/water, hydrocarbon mixtures or emulsions. 2023 – Status: No additional hazardous wastes to those listed in this condition are known to have been generated or stored at the premises during the reporting period. Records are available in the Waste Register.	Compliant
3.40	²¹ The quantity of hazardous and/or industrial and/or Group A waste generated on the premises shall not exceed 200 tonnes per year.	2023 – Status: 2023 records of waste oil (the main hazardous waste generated from site) indicate the total amount generated for did not exceed 200 tonnes for the year (refer to the Waste Register).	Compliant
3.41	²² The quantity of hazardous and/or industrial and/or Group A waste stored on the premises shall not exceed 70 tonnes at any one time.	2023 – Status: 2023 records of waste oil (the main hazardous waste generated from site) indicate the total amount generated did not exceed 70 tonnes at any one time (refer to the Waste Register).	Compliant
3.42	A designated area for the storage and collection of waste and recyclable materials shall be provided on the site. Details of this shall be provided in the Waste Management Plan required under condition 6.4 (d) of this consent.	Background (do not remove): Designated waste and recycle collection bins are provided at the Maintenance Workshop / Building, and the Tower / Administration Building. The initial Waste Management Plan (WMP) – OEMP, Appendix G was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)). 2023 – Status: The Waste and Wastewater Management Plan – refer to Section 6.4 of the OEMP (dated 22 September 2023).	Compliant

²⁰ EPA General Terms of Approval - L 5.3;

²¹ EPA General Terms of Approval - L 5.4;

²² EPA General Terms of Approval - L 5.5

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.43	All wastes and material generated on the site during construction and operation shall be classified in accordance with the EPA's <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes</i> and be disposed of to a facility that may lawfully accept the waste.	<p>2022 – Status:</p> <p>Whilst it is understood that the EPA’s WasteLocate app continued to suffer issues, the Auditor requested evidence to show that waste tyres had been tracked for the 2023 calendar year. No evidence was provided.</p> <p>Action: In the absence of the EPA WasteLocate app operating add a waste tyres section to the site Waste register and document the waste tyre as they are collected from the terminal.</p>	Partially Closed
3.44	The Applicant shall be responsible for involving and encouraging employees and contractors to minimise domestic waste production on site and to reuse/recycle where possible.	<p>2022 – Status:</p> <p>OEMP (dated 22 September 2023), Section 4.3 – Induction and Training requirements are specified the Environmental Training requirements. The training being delivered appears to be inconsistent with that described in Section 4.3 of the OEMP.</p> <p>Action: Review the environmental training being delivered on site against condition 3.62 and the OEMP. Update the documented training program in the OEMP to align with the requirements of condition 3.62 and existing training being delivered.</p>	Observation
Air Quality Impacts			
Dust Emissions			
3.45	²³ The Applicant shall design, construct, operate and maintain the development in a manner which minimises or prevents the emission of dust from the site.	<p>Background (do not remove): Roadway sweeping along the wharf is conducted routinely; the site is covered in hardstand with minimal landscaped areas; any excavated material is removed from site as soon as practicable otherwise a covering is installed and maintained to secure the material and reduce dust emissions.</p> <p>2023 Status:</p> <p>Refer to OEMP (Dated 22 September 2023), Section 6.1 – Air Quality Management Plan.</p> <p>During 2023, no complaints were received relating to uncovered loads generating and emitting dust.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.46	All trafficable areas and vehicle manoeuvring areas in or on the premises shall be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of windblown or traffic generated dust.	Background (do not remove): Surfaces are paved. 2023 – Status: See condition 3.45 above.	Compliant
3.47	During construction of the development, the Applicant shall ensure that all vehicles entering or leaving the site, carrying a load that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
Ventilation			
3.48	The details of any mechanical ventilation and/or air conditioning for the development must be certified by a competent person, in accordance with Council’s requirements, the BCA and relevant Australian Standards, and to the satisfaction of the PCA prior to commencement of any work related to those activities.	Background (do not remove): The details of any mechanical ventilation and/or air conditioning for the development were certified by a competent person, in accordance with Council’s requirements, the BCA and relevant Australian Standards, and to the satisfaction of the PCA prior to commencement of any work related to those activities. 2023 – Status: No change.	Not Applicable
Hazard and Risk Impact			
3.49	The Applicant shall not store or handle Dangerous Goods of Class 2.3, toxic compressed or liquefied gases above the quantities stored or handled in 1995/96 except in accordance with recommendations 1.1 and 1.2 in the Port Botany Land Use Safety Study (1996).	Background (do not remove): As a reference, during the 1995/1996 period 825 tonnes (average value) of Class 2.3 Dangerous Goods were transited through Port Botany. 2023 – Status: No change	Compliant

²³ EPA General Terms of Approval - O 3.1

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.50	<p>At least two months prior to the commencement of the proposed development or within such further period as the Director-General may agree, the Applicant shall prepare and submit for the approval of the Director-General the studies set out under (a) to (d) below.</p> <p>(a) FINAL HAZARD ANALYSIS - A final hazard analysis (FHA) of the proposed development. The analysis should be prepared in accordance with the Department’s Hazardous Industry Planning Advisory Paper No. 6, “Guidelines for Hazard Analysis”;</p> <p>(b) TRANSPORT OF HAZARDOUS MATERIALS -Arrangements covering the transport of hazardous materials including details of routes to be used for the movement of vehicles carrying hazardous materials to or from the proposed development. The study shall be carried out in accordance with the Department’s draft “Route Selection Guidelines”. Suitable routes identified in the study shall be used except where departures are necessary for local deliveries or emergencies. The study shall use the actual and projected dangerous goods movements from 1996/96 to 2016 to and from the site. In this regard particular attention is required to the future Class 2.3 toxic gases quantities, as detailed under condition 3.49 of this consent.</p> <p>(c) EMERGENCY PLAN - A comprehensive emergency plan and detailed emergency procedures for the proposed development. This plan shall include detailed procedures for the safety of all people inside and outside the development who may be at risk from the development. The plan shall be in accordance with the Department’s Department of Infrastructure, Planning and Natural Resources Page 19 of 39 DA-453-12-2002-i Hazardous Industry Planning Advisory Paper No. 1, “Industry Emergency Planning Guidelines”; and</p> <p>(d) SAFETY MANAGEMENT SYSTEM - A document setting out a comprehensive safety management system, covering all operations on-site and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. Records shall be kept on-site and shall be available for inspection by the Director-General upon request. The Safety Management System shall be developed in accordance with the Department’s Hazardous Industry Planning Advisory Paper No. 9, “Safety Management”.</p>	<p>Background (do not remove):</p> <p>(a) Sydney Ports Corporation – Port Botany Expansion Preliminary Hazard Analysis, revision 7, 9 June 2004.</p> <p>(b) Port Botany Expansion EIS (Appendix P), Traffic and Landside Transport Study for Proposed Port Botany Expansion (June 2002)</p> <p>(c) An Incident Management and Investigation Procedure has been developed forms Appendix I to the OEMP, and the Emergency Response Plan and Emergency Response Procedures (October 2015) and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones DPE) to Mr Paul Jerogin (Lend Lease)).</p> <p>(d) Patrick’s HSE Management System covers operations on-site and associated transport activities involving hazardous materials. The document specifies all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures.</p> <p>2023 – Status: The Emergency Response Plan (which includes the PIRMP) (dated 23 September 2023).</p>	<p>Compliant</p>

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.51	<p>One month prior to the commencement of operation of the development, the applicant shall submit to the Director-General, a compliance report detailing compliance with conditions 3.49 and 3.50 of this consent, including:</p> <ul style="list-style-type: none"> (a) dates of study submission, approval, and commencement of operations; (b) actions taken or proposed, to implement recommendations made in the studies; and (c) responses to each requirement imposed by the Director-General under condition 3.54 of this consent. 	<p>Background (do not remove): The Pre-Operational Compliance Report for the Patrick Port Botany 'Knuckle' and Ramp D (dated December 2015) was approved by the Director-General on 4 February 2016 (refer to letter from Ms Karen Harragon (DPE) to Mr Trevor Brown (NSW Ports)).</p> <p>2023 – Status: No change.</p>	Compliant
Incident Report			
3.52	<p>Within 24 hours of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment, a report shall be supplied to the Department outlining the basic facts. A further detailed report shall be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. That report must be submitted to the Director-General no later than 14 days after the incident or potential incident. The Applicant shall maintain a register of accidents, incidents and potential incidents. The register shall be made available for inspection at any time by the independent hazard auditor, the Director-General and Council.</p>	<p>2023 – Status:</p> <p>Events: 15x environment events were recorded in Patrick's incident reporting management system (Noggin) for tracking purposes. Nil (0) of these events were identified as having been in contact with or impacted the environment.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Hazard Audit			
3.53	Twelve months after the commencement of operations of the proposed development or within such further period as the Director-General may agree, the Applicant shall carry out a comprehensive hazard audit of the proposed development and within one month of the audit submit a report to the Director-General. The audit shall be carried out at the Applicant's expense by a duly qualified independent person or team approved by the Director-General prior to commencement of the audit. Further audits shall be carried out every three years or as determined by the Director-General and a report of each audit shall be submitted to the Director-General within one month of the audit. Hazard audits shall be carried out in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 5, "Hazard Audit Guidelines". The audit shall include a review of the site safety management system and a review of all entries made in the incident register since the previous audit.	<p>2023 – Status: Hazard Audit of Patrick Port Botany Terminal, NSW dated 12/10/22 undertaken by Planager.</p> <p>Patrick received a copy of the final report and submitted it to the Department in 2023.</p>	Compliant
Further Requirements			
3.54	The Applicant shall comply with all reasonable requirements of the Director-General in respect of the implementation of any measures arising from the reports submitted in respect of conditions 3.50 (a) to (d) inclusive, within such time as the Director-General may agree.	<p>2023 – Status: Director-General did not raise any requests for additional information arising from reports.</p>	Compliant
3.55	²⁴ Foreshore landscaping shall be comprised of locally indigenous species, which represents the original plant communities that would have been found along the foreshore in the vicinity of the site.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable
3.56	²⁵ A suitably detailed landscape plan shall be provided to the Waterways Authority prior to a Part 3A Permit being issued. The plan shall identify the location and species of trees at the site, measures to protect them from damage during the works and specific details of additional landscaping to be carried out including location and numbers of species to be planted.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable
3.57	²⁶ A Vegetation Management Plan shall be prepared in accordance with condition 6.4 (b) of this consent. The Plan shall detail the proposed methods to be used to maintain the revegetated areas after completion of the works. The Plan shall be submitted to the Waterways Authority prior to a Part 3A Permit being issued.	<p>2023 – Status: OEMP (updated 22 September 2023) – Section 6.10, Vegetation and Land Management Plan.</p>	Compliant

²⁴ Waterways Authority General Terms of Approval; ²⁵ Waterways Authority General Terms of Approval; ²⁶ Waterways Authority General Terms of Approval

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
3.58	All noxious weeds, as listed under the NSW Noxious Weed Act 1993, on site shall be removed during construction and operation of the development.	<u>2023 – Status:</u> OEMP (updated 22 September 2023) – Section 6.10, Vegetation and Land Management Plan.	Compliant
3.59	Appropriate weed management for the site, especially landscaped areas, shall be undertaken for the life of the development. Details of this shall be included in the Vegetation Management Plan required under condition 6.4 (b).	<u>2023 – Status:</u> OEMP (Updated 22 September 2023) – Section 6.10, Vegetation and Land Management Plan.	Compliant
3.60	The Applicant shall install, operate and maintain an irrigation system throughout all landscaped areas. Such a system shall provide full coverage to all landscaped areas with no overspray onto hard surfaces. Details of the irrigation system proposed shall be included in the Vegetation Management Plan required under condition 6.4(b) of this consent. The system shall comply with all relevant Australian Standards. Note: It is recognised that some irrigation is necessary, however, the Applicant is encouraged to reduce the dependence on irrigation by planting trees and shrubs that are endemic to the area and capable of withstanding low levels of water as reflected in condition 3.60 of this consent.	Background (do not remove): There is no irrigation system on site (not has there been). Low water tolerant trees, shrubs and grasses are planted. Landscaping of the area below Ramp D (also known as the Undercroft) is no longer applicable to Patrick as this leased area was returned to NSW Ports on 14 September 2018. <u>2023 – Status:</u> OEMP (Updated 22 September 2023) - Section 6.10, Vegetation and Land Management Plan.	Compliant
3.61	The Applicant must ensure that all external lighting associated with the development is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding properties or roadways. The lighting shall be the minimum level of illumination necessary and shall comply with AS 4282 1997 - <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	Background (do not remove): There are no nearby residents, and the site is not located near a public road where lighting may be a nuisance issue. <u>2023 – Status:</u> During 2023 no complaints are known to have been received by Patrick in relation to lighting.	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Staff Induction			
3.62	<p>The development's staff induction program shall incorporate special instructions relating to noise control and related "on the job" training, as deemed appropriate. Such training shall ensure that all staff involved in the operation of the terminal's mobile equipment, such as the straddle carriers, reach stackers and forklift trucks, and the gantry cranes and quay cranes, are aware of the need to ensure the following:</p> <p>(a) The correct placement and/or lowering of containers to minimise potential adverse noise impacts and specifically the control of transient impact noise;</p> <p>(b) The site's environment officer shall carry out routine inspections during the day, evening and night. Individual operations staff shall be assessed to determine the performance rating on each staff member and his or her duties; and</p> <p>(c) That each employee is made aware that one of the conditions of his or her continued employment shall be compliance with the site's noise emission goals and guidelines relating to the operational impact noise reduction. Those documented conditions will form an integral part of the project's Environmental Quality Assurance Program.</p>	<p>Background (do not remove): Employees, contractors and sub-contractors are required to undertake an induction prior to commencing work on site, and at least every 2-years thereafter.</p> <p>2023 – Status: Environmental Training requirements are specified in the OEMP (dated 22 September 2023) - Section 4.3.</p>	Compliant
Telephone Hotline			
3.63	<p>Prior to the commencement of construction, the Applicant shall establish and list with the telephone company a 24-hour free call complaints contact telephone number. The Applicant shall provide the telephone number to the Department, EPA and Council and written notification shall be given to the surrounding residents.</p> <p>The aim of the complaints line is to enable any member of the action to the complaint within two hours, 24 hours per day for the duration of construction and operation of the development.</p>	<p>Background (do not remove): A 24-hour 7-days a week Ph (02) 9493 0308 is available to external parties to make enquires, concerns or complaints to Patrick, this phone number is displayed at the terminal outside gate (B105A) and on the Patrick website.</p> <p>A call made to the Patrick Concerns and Enquires line is answered by the terminal's HSE Manager and recorded in the terminal's Public Comment, Inquires & Complaints Register. The phone number is routinely tested.</p> <p>2023 – Status: Nil complaints were received via the complaints line during the monitoring period (2023)</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Complaints Register			
3.64	<p>The Applicant shall record details of all complaints received in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:</p> <ul style="list-style-type: none"> (a) the date and time of the complaint; (b) the means by which the complaint was made; (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect; (d) the nature of the complaints; (e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and (f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken. <p>The Complaints Register shall be made available for inspection by the Director-General, EPA and Council upon request. The Applicant shall also make summaries of the register, without details of the complainants, available for public inspection.</p>	<p>2023 – Status:</p> <p>A Complaints Register is maintained and submitted to the Department as part of the quarterly Complaints reports.</p> <p>The Public Comments, Inquires & Complaints Register (for 20223 is available for inspection and a summary appears in Section 7 of this report.</p>	Compliant
3.65	The payment of a Development Control fee to Council in accordance with Council's Management Plan, prior to the issue of the Construction Certificate. Development Control \$660.00	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable
4 Utilities and Public Works			
4.1	The Applicant shall, prior to construction commencing, identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas that are associated with, and/or adjacent to the site, and/or are likely to be affected by the construction and operation of the development.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable
4.2	The Applicant shall, prior to construction commencing, consult with the relevant provider of the utilities identified in condition 4.1 of this consent and make arrangements to adjust and/or relocate their services as required. The cost of any such adjustment and/or relocation of services shall be borne by the Applicant.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
4	Utilities and Public Works		
4.1	The Applicant shall, prior to construction commencing, identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas that are associated with, and/or adjacent to the site, and/or are likely to be affected by the construction and operation of the development.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
4.2	The Applicant shall, prior to construction commencing, consult with the relevant provider of the utilities identified in condition 4.1 of this consent and make arrangements to adjust and/or relocate their services as required. The cost of any such adjustment and/or relocation of services shall be borne by the Applicant.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
4.3	Prior to commencement of construction, the Applicant shall provide documentary evidence from the utility providers identified in condition 4.1 of this consent, to the Director-General, confirming that their requirements have been satisfied.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
4.4	All external work carried out on public property shall be in accordance with Council's requirements, except as otherwise permitted by this consent.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable
4.5	Prior to the issue of an Occupation Certificate, the Applicant shall obtain from Sydney Water a Section 73 Compliance Certificate under the Sydney Water Act 1994.	Background (do not remove): Applicable to construction period of the development etc. 2023 – Status: No change.	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
5	Environmental Monitoring		
	General Monitoring Requirements		
5.1	The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the <i>Protection of the Environment Operations Act 1997</i> , in relation to the development or in order to comply with the load calculation protocol shall be recorded and retained as set out in conditions 5.2 and 5.3 of this consent.	<p><u>2023 – Status:</u></p> <p>The 2023 biannual noise monitoring was carried out in May and November 2023, referred to in condition 3.3 satisfy this requirement.</p>	Compliant
5.2	<p>All records required to be kept by the licence shall be:</p> <p>(a) In a legible form, or in a form that can readily be reduced to a legible form</p> <p>(b) Kept for at least four years after the monitoring or event to which they relate took place; and</p> <p>(c) Produced in a legible form to any authorised officer of the EPA who asks to see them.</p>	<p><u>2023 – Status:</u></p> <p>The 2023 biannual noise monitoring was carried out in May and November 2023, referred to in condition 3.3 satisfy this requirement.</p>	Compliant
5.3	<p>The following records shall be kept in respect of any samples required to be collected:</p> <p>(a) The date(s) on which the sample was collected;</p> <p>(b) The time(s) at which the sample was collected;</p> <p>(c) The point at which the sample was taken; and</p> <p>(d) The name of the person who collected the sample.</p>	<p><u>Background (do not remove):</u> Biannual noise monitoring is carried out in accordance with the current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p><u>2023 – Status:</u></p> <p>Separate to the biannual noise monitoring no other monitoring is conducted.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023																																								
Requirement to Monitor Concentrations of Pollutants Discharged																																											
5.4	<p>The Applicant shall monitor the discharge of pollutants at monitoring location Point 2. The Applicant shall monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in column 1 of the Table below. The Applicant shall use the sampling methods, units of measure, and sample at the frequency, specified in the columns of the Table below.</p> <p>Monitoring Location - Point 2: Water and Land</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr style="background-color: #D3D3D3;"> <th style="width: 25%;">POLLUTANT</th> <th style="width: 15%;">UNITS OF MEASURE</th> <th style="width: 25%;">FREQUENCY</th> <th style="width: 35%;">SAMPLING METHOD</th> </tr> </thead> <tbody> <tr><td>Oil and Grease</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr><td>Total Suspended Solids</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr><td>Turbidity</td><td>NTU</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr><td>Chemical Oxygen Demand</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr><td>Total Organic Carbon</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr><td>Total Petroleum Hydrocarbons</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr><td>Lead</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr><td>Zinc</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr><td>pH</td><td>pH</td><td>Special Frequency 1</td><td>Representative</td></tr> </tbody> </table> <p>Special Frequency 1 means a sample must be collected and analysed not more than one hour before the commencement of any discharge on any day and a further sample of the wastes being discharged not more than one hour after the commencement of the discharge on that day.</p> <p>Note: The monitoring results collected in compliance with condition 5.4 for Point 2 can be used to determine compliance with the concentration limit specified in Condition 3.36 for discharge from Point 1.</p>	POLLUTANT	UNITS OF MEASURE	FREQUENCY	SAMPLING METHOD	Oil and Grease	mg/L	Special Frequency 1	Representative	Total Suspended Solids	mg/L	Special Frequency 1	Representative	Turbidity	NTU	Special Frequency 1	Representative	Chemical Oxygen Demand	mg/L	Special Frequency 1	Representative	Total Organic Carbon	mg/L	Special Frequency 1	Representative	Total Petroleum Hydrocarbons	mg/L	Special Frequency 1	Representative	Lead	mg/L	Special Frequency 1	Representative	Zinc	mg/L	Special Frequency 1	Representative	pH	pH	Special Frequency 1	Representative	<p>Background (do not remove): Discharges from Point 1 are referenced in the EPL version dated 18 April 2011. Patrick requested in a letter to the EPA (15 April 2013) the removal of reference to Discharge Point 1 from the EPL.</p> <p>Monitoring Location Point 2 was removed from EPL 6962 dated the 31 March 2015.</p> <p>No water quality monitoring is required by the EPL 6962) (1 September 2020) and there are no licenced discharge points.</p> <p>2023 – Status: No change.</p>	Not Applicable
POLLUTANT	UNITS OF MEASURE	FREQUENCY	SAMPLING METHOD																																								
Oil and Grease	mg/L	Special Frequency 1	Representative																																								
Total Suspended Solids	mg/L	Special Frequency 1	Representative																																								
Turbidity	NTU	Special Frequency 1	Representative																																								
Chemical Oxygen Demand	mg/L	Special Frequency 1	Representative																																								
Total Organic Carbon	mg/L	Special Frequency 1	Representative																																								
Total Petroleum Hydrocarbons	mg/L	Special Frequency 1	Representative																																								
Lead	mg/L	Special Frequency 1	Representative																																								
Zinc	mg/L	Special Frequency 1	Representative																																								
pH	pH	Special Frequency 1	Representative																																								

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
5.5	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by the EPA's general terms of approval, or a licence under the <i>Protection of the Environment Operations Act 1997</i>, in relation to the development or in order to comply with the load calculation protocol shall be done in accordance with:</p> <p>(a) Any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or</p> <p>(b) If no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or</p> <p>(c) If no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p> <p>Note: The <i>Clean Air (Plant and Equipment) Regulation, 1997</i> requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "<i>Approved Methods for the sampling and Analysis of Air Pollutants in NSW</i>".</p>	<p>Background (do not remove): Discharges from Point 1 are referenced in the EPL version dated 18 April 2011. Patrick requested in a letter to the EPA (15 April 2013) the removal of reference to Discharge Point 1 from the EPL.</p> <p>Monitoring Location Point 2 was removed from EPL 6962 dated the 31 March 2015.</p> <p>No water quality monitoring is required by the EPL 6962 (1 September 2020) and there are no licenced discharge points.</p> <p>2023 – Status: No change</p>	<p>Not Applicable</p>
5.6	<p>³² For each discharge point or utilisation area specified in condition 3.34 of this consent, the Applicant shall monitor the volume of liquids discharged to water or applied to the area.</p>	<p>Background (do not remove): Discharges from Point 1 are referenced in the EPL version dated 18 April 2011. Patrick requested in a letter to the EPA (15 April 2013) the removal of reference to Discharge Point 1 from the EPL.</p> <p>Monitoring Location Point 2 was removed from EPL 6962 dated the 31 March 2015.</p> <p>No water quality monitoring is required by the EPL 6962 (1 September 2020) and there are no licenced discharge points.</p> <p>2023 – Status: No change</p>	<p>Not Applicable</p>

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Water Quality Monitoring and Compliance Reporting			
5.7	<p>³³ Within 6 months of consent being granted and every 6 months thereafter, the Applicant shall submit a report to the EPA containing the following information:</p> <p>(a) A pollutant inventory that qualifies waters discharged from the site. This shall include identification of all water pollutants likely to be discharged from each final stormwater pit on the 11 stormwater lines serving the container handling operation area within the site. The water pollutants shall include but are not limited to: total phenolics, polycyclic aromatic hydrocarbons, oil and grease, total petroleum hydrocarbons, total organic carbon, biochemical oxygen demand, chemical oxygen demand, pH, zinc, copper, lead, cobalt, chromium, manganese, cobalt, nickel and iron;</p> <p>(b) Identify all existing and potential sources of water pollutants from the areas that drain into the 11 stormwater lines serving the container handling operation area within the site;</p> <p>(c) Quantify the concentration of pollutant types identified as part of the pollutant inventory as prescribed in subclause (a) of this condition. The quantification of pollutants shall be undertaken by collecting a grab sample within the first hour of a discharge and at hourly intervals after the commencement of that discharge for at least three hours after the initial sample was taken; and</p> <p>(d) A statement of whether identification and quantification of pollutants in stormwater discharges that have been developed in accordance with the water quality objectives as specified in the Water Quality Guidelines for Fresh and Marine Waters published by Australian and New Zealand Environment and Conservation Council.</p>	<p>Background (do not remove): As referred to in the 2016 AEMR this requirement has been removed from EPL 6962 due to the Maintenance Workshop being expanded to include the former Maintenance forecourt.</p> <p>Any wastewater generated from workshop activities is treated via the AutoBatch Unit before being discharged to the trade waste (permitted by Sydney Water’s Consent to Discharge Industrial Trade Wastewater No. 24990).</p> <p>2023 – Status: No change.</p>	Not Applicable

³³ EPA General Terms of Approval – E1.1

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Noise Monitoring and Compliance Reporting			
5.8	<p>³⁴ Within 6 months of consent being granted and every 6 months thereafter, the Applicant shall submit a report to the EPA containing the following information:</p> <ul style="list-style-type: none"> (a) Identification and ranking by sound power level (in 1/3 octave bands for any source with potentially undesirable noise character) all significant noise sources on site. This is to include container impact noise(s), audible alarms, all significant plant and equipment; (b) Identification of all noise sensitive receivers that may be affected by the operation, and select an appropriate number of representative receiver locations to represent all sensitive receivers; (c) The results of all noise measurements undertaken to assess compliance with condition 3.3 of this consent; (d) A statement of whether noise levels from all activities at the site comply with the specified noise limits at the representative receiver locations. The statement shall take into account tonal, impulsive and short duration noises originating from the facility; (e) Where noise levels have been assessed to exceed licence limits, a statement explaining the reason why this has taken place; and <p>A statement of what feasible and reasonable additional measures may be implemented to further reduce noise levels below that specified in the licence.</p>	<p>Background (do not remove): The noise limits within the EPL (1 September 2020) are different to those quoted here and in DA494. Biannual noise monitoring is carried out in accordance with the current EPL 6962. The monitoring is conducted by an independent acoustics engineer twice a year.</p> <p>2023 – Status:</p> <p>A copy of the Biannual Noise Monitoring Compliance Reports for May and November 2023 were emailed to the EPA and NSW Ports.</p>	Compliant
6 Environmental Management			
Construction Environmental Management Plan (CEMP)			
6.1	<p>The Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP) to outline environmental management practices and procedures to be followed during the construction of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> (a) a description of all activities to be undertaken on the site during construction of the development, including an indication of stages of construction, where relevant; (b) statutory and other obligations that the Applicant is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies; 	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable

³⁴ EPA General Terms of Approval – E1.1

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
6	Environmental Management		
Construction Environmental Management Plan (CEMP) <i>Continued</i>			
6.1	<p>(a) specific consideration of measures to address any requirements of the Department, EPA, Waterways Authority and Council during construction;</p> <p>(b) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;</p> <p>(c) a description of the roles and responsibilities for all relevant employees involved in the construction of the development;</p> <p>(d) the Management Plans listed under condition 6.2 of this consent.</p> <p>The CEMP shall be submitted for the approval of the Director-General prior to the commencement of construction of the development. Construction shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the CEMP to the EPA, Waterways Authority and Council as soon as practicable.</p>	Refer to previous page	---
Soil and Water Management Plan			
6.2a	A Soil and Water Management Plan to detail measures to minimise erosion during construction of the development. The Plan shall include, but not necessarily be limited to...:	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable
Construction Noise Management Plan			
6.2b	A Construction Noise Management Plan to outline measures to minimise impacts from the construction of the development on local noise levels. The Plan shall include, but not necessarily be limited to...:	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable
Traffic Management Plan			
6.2c	A Traffic Management Plan (TMP) shall be prepared to the satisfaction of the Director-General and submitted at least two weeks prior to the commencement of construction of, or the modification to, of the truck and rail portals. The TMP shall specifically address the management of construction traffic and the alternate arrangements for truck/rail movements around the Terminal during construction.	<p>Background (do not remove): Applicable to construction period of the development etc.</p> <p>2023 – Status: No change.</p>	Not Applicable

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Operational Environmental Management Plan (OEMP or Operational EMP)			
6.3	<p>The Applicant shall prepare and implement an Operation Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during the operation of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i. identification of all statutory and other obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations; ii. a description of the roles and responsibilities for all relevant employees involved in the operation of the development; iii. overall environmental policies and principles to be applied to the operation of the development; iv. standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved; v. management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent; vi. the Management Plans listed under condition 6.4 of this consent; and vii. the environmental monitoring requirements outlined under section 5 (Environmental Monitoring) of this consent, inclusive. <p>The OEMP shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation of the development, or within such period as otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General’s approval, the Applicant shall supply a copy of the OEMP to the EPA, Waterways Authority and Council as soon as practicable.</p>	<p>Background (<i>do not remove</i>): The initial OEMP was developed for Patrick terminal operations in March 2015. The OEMP (and appendices) were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)).</p> <p>2023 – Status: Refer to OEMP (dated 22 September 2023), a copy was issued to the Department in January 2024. The OEMP will be reviewed in 2024 using track changes and a copy submitted to the Department as arranged with Amy Porter.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
6.4	As part of the OEMP for the development, required under condition 6.3 of this consent, the Applicant shall prepare and implement the following Management Plans:	See below	----
Stormwater Management Plan			
6.4a	<p>A Stormwater Management Plan to outline environmental management practices and procedures to be followed during the operation of the development in order to control and manage site drainage and stormwater. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i. detailed plans showing the design of the stormwater control infrastructure; ii. demonstration that the stormwater control infrastructure will conform with, or exceed all relevant Council requirements and guidelines; iii. description of the procedures for the installation, inspection and maintenance of the stormwater control infrastructure, including stormwater pollution control devices; and iv. description of the procedures to be undertaken if any non-compliance is detected. 	<p>Background (<i>do not remove</i>): The initial Stormwater Management Plan (Appendix F of the OEMP) was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)).</p> <p>2023 – Status: OEMP (dated 22 September 2023), Section 6.2 – Stormwater Management Plan.</p>	Compliant
Vegetation Management Plan			
6.4b	<p>A Vegetation Management Plan to outline measures to ensure appropriate development and maintenance of landscaping on the site and revegetation in the vicinity of the boat ramp access road. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i. details of all landscaping to be undertaken on the site and revegetation in the boat ramp access road area, including details of additional features such as soil and mulch details, irrigation details, retaining wall details, fencing details, details of hard surfaces, and any other landscape elements in sufficient detail to fully describe the proposed landscape works; ii. details of existing and proposed utilities, as they relate to the development; iii. maximisation of flora species endemic to the locality in landscaping the site; 	<p>Background (<i>do not remove</i>): The initial Vegetation Management Plan (VMP) (Appendix H of the OEMP) was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)).</p> <p>2023 – Status: Refer to the current OEMP (dated 22 September 2023), Section 6.10 – Vegetation and Land Management Plan.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
6.4b	<ul style="list-style-type: none"> iv. details of existing and proposed utilities, as they relate to the development; v. maximisation of flora species endemic to the locality in landscaping the site; vi. details of the proposed weed management system; vii. identification and details of staff recreation areas; viii. details of car parking and measures to prevent vehicle encroachment onto landscaped areas; and ix. a program to ensure that all landscaped and revegetated areas are maintained in a tidy, healthy state. 	<i>Refer to 6.4c, on previous page.</i>	---
Transport Management Plan			
6.4c	<p>A Transport Management Plan to outline management of traffic conflicts associated with the operation of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i. details of measures that would be implemented to minimise noise and amenity impacts on residential areas resulting from heavy vehicle movements; ii. outlines the monitoring procedures for major truck routes inbound and outbound from the site through the City of Botany Bay, as well as destinations within the City of Botany Bay; iii. procedures for monitoring the effectiveness and suitability of these measures, particularly the periodic and random monitoring of heavy vehicle routes; and iv. details of additional measures that would be implemented should be non-compliance be detected. 	<p>Background <i>(do not remove)</i>: The initial Operational Traffic Management Plan (OTMP), dated 3 March 2015 was developed for the site as Appendix E to the OEMP. Patrick’s OTMP as part of the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)).</p> <p>2023 – Status: Refer to the current OEMP (dated 22 September 2023), Section 6.7 – Operational Traffic Management Plan.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Waste Management Plan			
6.4d	<p>A Waste Management Plan to outline measures to manage resource consumption resulting from the operation of the development. The Plan shall meet the requirements of Council, should there be any. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i. identification of the type and quantities of waste that would be generated; ii. description of measures and actions to be taken to minimise waste generated by the operation of the development; iii. description of how waste would be handled and stored during operation, and reused, recycled and, if necessary, appropriately treated and disposed of in accordance with the EPA’s guidelines Assessment, Classification and Management of Liquid and Non-Liquid Waste; and iv. details of programs for involving and encouraging employees and contractors to minimise domestic waste production on the site and reuse/recycle where possible. 	<p>Background (<i>do not remove</i>): The initial Waste Management Plan (WMP), Appendix G of the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, (DPE) to Mr Paul Jerogin (Lend Lease)).</p> <p><u>2023 – Status:</u></p> <p>Refer to the current OEMP (dated 22 September 2023), Section 6.4 – Waste and Wastewater Management Plan.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Operational Noise Management Plan			
6.4e	<p>An Operational Noise Management Plan to outline measures to minimise impacts from the operation of the development on local noise levels. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> i. identification of all major sources of noise that may be emitted as a result of the operation of the development; ii. specification of the noise criteria as it applies to the particular activity; iii. procedures for the monitoring of noise emissions; iv. protocols for the minimisation of noise emissions; v. description of procedures to be undertaken if any non-compliance is detected; vi. application of appropriate noise control measures to all the lifting equipment (gantry cranes, forklift trucks, etc.) that are proposed to be used on the site; and vii. the powering-down of locomotives standing on the rail sidings on the site until such time as the train is about to depart the site. 	<p>Background (do not remove): The initial Operational Noise Management Plan (ONMP), dated 15 January 2015 was developed for the site, and is attached to Patrick’s OEMP, Appendix D. Patrick’s ONMP as part of the OEMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)).</p> <p>2023 – Status: Refer to the current OEMP (dated 22 September 2023), Section 6.6 – Operational Noise Management Plan.</p>	Compliant
6.5	<p>Within three years of the commencement of operation, and at least every three years thereafter, the Applicant shall undertake a formal review of the OEMP required under condition 6.3 of this consent. The review shall ensure that the OEMP is up-to-date and all changes to procedures and practices since the previous review have been fully incorporated into the OEMP. The Applicant shall notify the Director-General of completion of each review, and shall supply a copy of the updated OEMP to the Director-General, EPA, Waterways Authority and Council on request.</p>	<p>Background (do not remove): A finding in the 2017 AEMR states that 4 February 2016 was the date operations commenced at terminal.</p> <p>2023 – Status: Refer to OEMP (dated 22 September 2023), a copy was issued to the Department in January 2024. The OEMP will be reviewed in 2024 using track changes and a copy submitted to the Department as arranged with Amy Porter.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
6	Environmental Management		
	Annual Compliance Report		
6.6	<p>Within twelve months of the date of this consent, and annually thereafter, unless the Director-General directs otherwise, the Applicant shall submit a Compliance Report to the Director-General. The Compliance Report shall:</p> <ul style="list-style-type: none"> (a) Identify all the standards, performance measures, and statutory requirements the development is required to comply with, including the conditions of this consent; (b) Review the environmental performance of the development to determine whether it is complying with these standards, performance measures, and statutory requirements. (c) Identify all the occasions during the previous year when these standards, performance measures, and statutory requirements have not been complied with; (d) Include a copy of the Complaints Register for the preceding twelve month period and indicate what actions were taken (or are being taken) to address complaints; (e) Include the detailed reporting from any monitoring requirements, and identify any trends in the monitoring over the life of the project; and (f) Where non-compliance is occurring, describe what actions will be taken to ensure compliance, who will be responsible for carrying out these actions, and when these actions will be implemented. (c) The Director-General may require the Applicant to address certain matters identified in the Annual Compliance Report. Any action required to be undertaken shall be completed within such period as the Director-General may agree. The Applicant shall provide a copy of the Annual Compliance Report to the EPA and Council. The report shall be made available to the public on request. 	<p>Background (do not remove): This Annual Environmental Management Report (as per D-494, C4.2) also includes the requirement of this condition to submit an Annual Compliance Report.</p> <p>While for compliance purposes the date the Patrick site was deemed operational was the 4 February 2016, for ease this AEMR covers the 12-month period from the calendar year i.e., 1 January to 31 December.</p> <p>The previous Annual Environmental Management Reports (which also include the Annual Compliance Report) are available on Patrick’s website.</p> <p><u>2023 – Status:</u> This Annual Compliance Report will be uploaded onto the Department Major Projects portal by 29 February 2024.</p>	Compliant

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No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Independent Environmental Audit			
6.7	<p>Within 12 months of commissioning the development and every three years thereafter, unless the Director-General directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit. The Independent Environmental Audit shall:</p> <p>(a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;</p> <p>(b) Be consistent with ISO 14010 – Guidelines and General Principles for Environmental Auditing, and ISO 14011 – Procedures for Environmental Auditing, or updated versions of these guidelines/manuals;</p> <p>(c) Assess the environmental performance of the development, and its effects on the surrounding environment;</p> <p>(d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;</p> <p>(e) Review the adequacy of the Applicant’s Environmental Management Plan, and Environmental Monitoring Program; and, if necessary</p> <p>(f) Recommend measures or actions to improve the environmental performance of the plant, and/or the environmental management and monitoring systems.</p>	<p>Background (do not remove): This Independent Environmental Compliance Audit is required to satisfy:</p> <ul style="list-style-type: none"> DA 453 - Condition 6.7; DA 494 – Condition C4.5 <p>DA 453 requires such an audit 12-months, after commissioning and then every 3 years. While DA 494 requires an independent environmental audit to be carried out every 12 months. It is on this basis an independent environmental compliance audit will be carried out annually.</p> <p>On 3 October 2017 the DPE approved Wolf Peak Australia Pty Ltd auditors (Steve Fermio and Derek Low) to conduct the independent environmental audits.</p> <p>2023 – Status: The 2023 Independent Environmental Compliance Audit was conducted by Mr. Derek Low, WolfPeak (DPIE approved auditor) on 11 January 2024.</p>	Compliant
6.8	<p>Within 2 months of commissioning the audit, the Applicant must submit a copy of the audit report to the Director-General. After reviewing the report, the Director-General may require the Applicant to address certain matters identified in the report. The Applicant must comply with any reasonable requirements of the Director-General.</p>	<p>2022 – Status: The final Independent Environment Compliance Audit report is yet to be issued. Once it has it will be uploaded onto the DPIE website, and a copy emailed to NSW Ports, EPA, and Bayside Council within two (2) weeks of receiving the final report.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
EPA Annual Return			
6.9	<p>The Applicant shall provide an annual return to the EPA in relation to the development as required by any licence under the <i>Protection of the Environment Operations Act 1997</i> in relation to the development. In the return the Applicant shall:</p> <ul style="list-style-type: none"> (a) report on the annual monitoring undertaken (where the activity results in pollutant discharges); (b) provide a summary of complaints relating to the development; (c) report on compliance with licence conditions; and (d) provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. <p>If load-based fees apply to the activity the Applicant will be required to submit load based fee calculation worksheets with the return.</p>	<p>Background (<i>do not remove</i>): The Annual Return for the period was submitted via eConnect EPA within the timeframe specified by this condition.</p> <p>2023 – Status: Annual Return submitted to EPA on 24 April 2023. No non-compliances were identified.</p> <p>EPA Climate Change Survey was submitted 2-Oct-23.</p>	Compliant
6.10	Where standards, guidelines or other documents are referred to in the conditions, the latest version of these standards, guidelines or documents shall apply, unless otherwise agreed by the Director-General.	<p>2023 – Status: The OEMP (dated 22 September 2023) and the Biannual Noise Monitoring Compliance Reports for May and November 2023 appear to reference current guidelines and standards.</p>	Compliant
7 Requirements of Botany Bay Council			
Vibration			
7.1	The construction and use of the premises shall not give rise to transmission of vibration at any affected premises that exceeds the vibration in buildings criteria outlined in the NSW EPA Environmental Noise Control Manual.	2023 – Status: Noted.	Compliant
7.2	All machinery shall be installed and/or housed in such a manner as to minimise the emission of noise and transmission of vibration outside the premises.	2023 – Status: Noted.	Compliant

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7.3	Vibration levels induced by the use of the premises or any equipment or service associated with the premises shall not exceed 1mm/sec peak particle velocity when measured at the footing of any adjoining occupied building.	<p>Background (do not remove): There are no occupied buildings adjoining the operational areas of the terminal that would be affected by vibration.</p> <p>2023 – Status: No change.</p>	Compliant
Storage of Chemicals / Dangerous Goods (Other than Shipping Containers)			
7.4	The storage and handling of flammable and combustible liquids for use on the site (other than shipping containers) shall be in accordance with <i>Australian Standard AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids</i> .	<p>Background (do not remove): The upgrade of the Maintenance Building and Workshop storage and handling of flammable and combustible liquids was completed as part of the redevelopment of the terminal i.e., appropriate bunding of liquids. Bunded pallets for storage of waste oil were provided for use in the chemical store in 2020.</p> <p>2023 – Status: Routine site inspection identified consistencies in the storage of chemicals and fuels.</p>	Compliance
Storage of Waste Oil			
7.5	Waste oil shall be stored in a covered and bunded area prior to offsite recycling/disposal. Copies of receipts for the recycling of oil shall be kept onsite and made available to Council on request.	<p>Background (do not remove): Waste oil is collected and stored inside the Maintenance Workshop in designated areas either a bunded area or on a purpose built bunded pallet.</p> <p>2023 – Status: Areas storing waste oil are routinely inspected. Liquid waste was being tracked in accordance with the POEO Act and Waste Regulation.</p>	Compliance
Fuel Tanks and Fuel Filling Areas			
7.6	The fuel tank and fuel filling area shall be designed and operated in accordance with the Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems by the Australian Institute of Petroleum (CP4-1998) and <i>AS1940: 1993 The Storage and Handling of Flammable and Combustible Liquids</i> .	<p>Background (do not remove): There are no underground fuel storage tanks located on the site.</p> <p>2023 – Status: Two 65,000 L diesel tanks are in a bunded area adjacent to the refuelling area.</p>	Compliant

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Fuel Bowers			
7.7	Fuel bowsers and service areas shall comply with the EPA's Environmental Guideline: Surface Water Management on the Covered Forecourt Areas of Service Stations.	<u>2023 – Status:</u> As per 7.6 above.	Compliant
Bunding – Multiple Containers (Excluding Shipping Containers)			
7.8	The area used for the storage of chemicals/liquids in containers (other than shipping containers) shall be banded. The bund (walls and floor) shall be constructed of impervious materials. The bund walls shall be a minimum of 100 mm high and be of a sufficient volume to contain 25% of the maximum volume of liquids likely to be stored within the bund. The bund shall be designed and installed in accordance with AS1940-1993 <i>The Storage and Handling of Flammable and Combustible Liquids</i> .	<u>2023 – Status:</u> The bunding sighted during the inspection comprised permanent fixtures and pallet bunds. Permanent fixtures appeared to comply with AS1940. Pallet bunds are used for storage of 20 – 240L containers of fuels and oils. These containers are in use.	Compliant
Bunding - Tank			
7.9	The area used for the storage of chemicals/liquids in tanks shall be banded. The bund (walls and floor) shall be constructed of impervious materials and shall be of sufficient volume to contain at least 110% of the volume of the tank(s). The bund shall be designed and installed in accordance with AS1940-1993 <i>The Storage and Handling of Flammable and Combustible Liquids</i> .	<u>2023 – Status:</u> Permanent fixtures (bunds) and pallet bunds are used for the storage of chemicals/liquids.	Compliant
Maintenance of Banded Areas			
7.10	Banded areas shall be properly maintained and all spillages and/or wastes within the banded areas cleaned up as soon as practicable and disposed of in a manner that does not pollute waters.	<u>2023 – Status:</u> Permanent fixtures (bunds) and pallet bunds are well maintained.	Compliant
Traffic Bund			
7.11	All service entries to workshop areas shall be provided with a trafficable bund with a minimum height of 100 mm to prevent any spillage exiting the workshop area and entering the stormwater system.	<u>Background (do not remove):</u> The redesign of the Maintenance workshop bunding as part of the 2013/14 redevelopment included a grated trench drain (“blind” at either end) in the centre of the forecourt between the two workshop bays. The workshop floor slopes to the trench drain where any leaks and spills are collected from. <u>2023 – Status:</u> No change.	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Spill Clean-up			
7.12	Sufficient supplies of appropriate absorbent materials shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill, and sweeping or shovelling the material into a secure bin. Absorbent materials used to clean up spills shall be disposed of to an appropriately licensed waste facility.	<p><u>2023 – Status:</u></p> <p>Spill kits are available across the site and Maintenance workshop and routinely inspected and stocked.</p>	Compliant
Emergency Spill Response Management Plan			
7.13	<p>The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with the EPA and Council. The Plan must be approved by the Director-General prior to the commencement of operations and shall include the following:</p> <ul style="list-style-type: none"> (a) list of chemicals and maximum quantities to be stored at the site; (b) identification of potentially hazardous situations; (c) procedure for incident reporting; (d) details of spill stations and signage; (e) containment and clean-up facilities and procedures; and (f) the roles of all staff in the Plan and details of staff training. 	<p><u>Background (do not remove):</u> The initial Emergency Response Plan (ERP) and Emergency Response Procedures (November 2015) have been developed and attached to the OEMP as Appendix N, and the initial Incident Management and Investigation Procedure developed as Appendix I to the OEMP, were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones (DPE) to Mr Paul Jerogin (Lend Lease)).</p> <p><u>2023 – Status:</u></p> <p>The ERP (dated 23 September 2023) and the current OEMP (dated 22 September 2023), Section 4.4 includes incident investigation.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Automotive / Workshop			
7.14	All servicing, mechanical repairs and detailing shall be conducted in a covered, bunded work area. All work areas, including workshops and lube bays, shall be graded into collection sumps and/or grated drains such that surface effluent generated within the workshop area is directed into a dedicated drainage system and disposed of to sewer in accordance with a Trade Waste Agreement from Sydney Water or collected for reuse/disposal by an EPA licensed waste contractor.	<p>Background (do not remove): As part of the terminal redevelopment the Maintenance Workshop was covered, the floor sealed and graded toward an internal blind trench with pipework going to the trade waste treatment plant prior to discharge to sewer, or to a blind underground tank for collection by a liquid waste contractor. The key chemical storage areas are bunded.</p> <p>All servicing, mechanical repairs and detailing are conducted in this area. Larger units of mobile plant are worked on in-situ and all precautions are taken to eliminate any surface effluent. Routine inspections are carried out.</p> <p>Spill kits containing absorbent materials are available in the Maintenance Workshop, on the Maintenance Break-down truck, and outside in designated locations.</p> <p>Drainage from Wash Bay 1 within the workshop is directed to a sump with oil/water separator and treated via the Auto Batch Unit. The wastewater removed is discharged via the sewer regulated under the Sydney Water’s Consent to Discharge Industrial Trade Wastewater No. 24990. Waste oil and filter aid (ex the Auto Batch Unit) is collected and disposed via a licenced waste contractor and recorded on the terminal’s Waste Register.</p> <p>2023 – Status: As per above.</p>	Compliant
Storage of Mechanical Parts			
7.15	Automotive parts in contact with any automotive fluid shall be stored in a covered, bunded area that is graded into collection sumps and/or grated drains which are directed into a dedicated drainage system and disposed to sewer in accordance with a Trade Waste Agreement from Sydney Water or collected for reuse/disposal by an EPA licensed waste contractor.	<p>2023 – Status:</p> <p>Workshop under cover and being used for mechanical repairs, servicing etc. The facility is graded with pipework going to the treatment plant to sewer, or to a blind inground open tank for collection by a liquid waste contractor.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Spray Painting			
7.16	All spray painting is to be carried out in a spray booth constructed and ventilated in accordance with <i>AS 1668.2-2002 – The Use of Mechanical Ventilation and Air-Conditioning</i> in Buildings. Exhausts from the spray booth shall be discharged through a single stack with a minimum height of 3 metres above the ridge of the building. The stack shall be located not less than 6 metres from any fresh air intake or openable window. Disposal of wastewater from wet scrubbing shall be disposed of in accordance with Sydney Water's Trade Waste Policy and Management Plan.	<p>Background (do not remove): Spray painting was not conducted on site during the reporting period.</p> <p>2023 – Status: As per above.</p>	Compliant
Maintenance of Filters			
7.17	All spray booth filters shall be regularly maintained to ensure emissions of air pollutants are minimised.	<p>Background (do not remove): There is no permanent or temporary spray booth on site.</p> <p>2023 – Status: As per above.</p>	Not Applicable
Stormwater			
Vehicle Wash Bay			
7.18	Washing of vehicles shall be conducted in a wash bay that is roofed and bunded to exclude rainwater. The wash bay shall be installed in accordance with Sydney Water's requirements. A Permission to Discharge Trade Wastewater permit shall be obtained from Sydney Water before discharge to sewer commences. The wash bay shall be regularly cleaned and maintained. Alternative water management and disposal options may be appropriate where water is recycled, minimised or re-used on the site.	<p>Background (do not remove): Two wash bays are located inside the Maintenance workshop with one wash bay connected via the Auto Batch unit to the trade waste. The second wash bay is not connected to the trade waste treatment plant i.e., 'Auto Batch Unit'. The second wash bay has not been used since it was installed.</p> <p>The single wash bay in operation is operated under the conditions of Sydney Water's Consent to Discharge Industrial Trade Wastewater No. 24990.</p> <p>2023 – Status: A single wash bay is in operation.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Signage on Stormwater Drains			
7.19	Signs shall be displayed adjacent to all stormwater drains on the premises indicating that only clean water is allowed to enter these drains. Examples of possible signage include: 'Clean Rainwater Only', 'Clean water only - NO waste' or 'H ₂ O only'.	<p>Background (<i>do not remove</i>): 'Clean Rainwater Only' is painted next to stormwater drains on site.</p> <p>2023 Status: <i>As per above.</i></p>	Compliant
Maintenance of Stormwater Treatment Devices			
7.20	All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the devices shall be disposed of in a manner that does not pollute waters.	<p>Background (<i>do not remove</i>): Drain wardens, purceptor, SQIDS, and trade waste system are included into the Maintenance scheduling system (Maximo).</p> <p>2023 Status:</p> <p>Stormwater drains wardens, purceptors and the trade waste 'AutoBatch Unit' have been routinely maintained throughout the year.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Wastewater Recycling for Vehicle Washing			
7.21	<p>All vehicle washing bays that recycle filtered and treated wastewater for re-use for vehicle washing shall meet the following requirements:</p> <p>(a) Have an appropriate method for the removal of contaminants such as grease, oil, sediment and cleaning agents before reuse of the wastewater and have an appropriate method for the disposal of wastewater contaminants. Have a floor that is sealed and graded to an internal drainage point, so that all wastewater and surface spillage is directed and drains to the approved treatment point;</p> <p>(b) Is roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay;</p> <p>(c) At a minimum the bay constructed with a minimum 20 mm bund around the perimeter of the bay;</p> <p>(d) At a minimum the bay should be protected from the entry of external surface waters, by either; a minimum 2% change in grade; or combination of a minimum 2% grade change and a grated drainage system;</p> <p>(e) At a minimum the bay should have a roof that has a minimum height of 2.5m;</p>	<p>Background (do not remove): Patrick has installed 2 x 10,000L water storage tanks alongside the Maintenance Workshop; and 2 x 10,000 water storage tanks behind the Administration/Tower building.</p> <p>At both locations, the stored water is used for the single purpose to flush toilets/urinals.</p> <p>Recycled water has not been used for single vehicle wash bay in use. The second wash bay is not connected to the trade waste and has not been used since it was installed.</p> <p><u>2023 Status:</u> As per above.</p>	Compliant
Removal Off-Site by an Authorised Liquid Waste Disposal Contractor			
7.21	<p>(f) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems;</p> <p>(g) Ensure all contaminants removed from the recycled wastewater are disposed of appropriately;</p> <p>(h) Have an appropriately designed wastewater/recycled water storage tank;</p> <p>(i) All contaminants and gross solids removed from the recycled water are disposed of appropriately;</p> <p>(j) Ensure that the wastewater recycling system is functioning as intended; and</p> <p>(k) Ensure that all wastewater is retained within the recycling system.</p>	<p><i>Refer to the previous page</i></p>	---

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
7.22	<p>All vehicle washing bays that will have all wastewater removed off site shall meet the following requirements:</p> <ul style="list-style-type: none"> (a) Have a floor that is sealed and graded to an internal drainage point, so that all wastewater and surface spillage is directed and drains to the approved treatment and disposal point; (b) Roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay; (c) At a minimum the bay should be constructed with a minimum 20 mm bund around the perimeter of the bay; (d) At a minimum the bay should be protected from the entry of external surface waters, by either; a minimum 2% change in grade; or combination of a minimum 2% grade change and a grated drainage system; (e) At a minimum the bay should have a roof that has a minimum height of 2.5 m; (f) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems; (g) Have an appropriate capacity storage tank designed to hold all wastewater; (h) Keep and retain records for a period of five years, of when and how much water was removed by the authorised liquid waste disposal contractor when this occurs, on an annual basis. Provide a copy of the records to Council on request; and (i) That the water storage tank is maintained so that there are no leaks and is functioning as intended. 	<p>Background (do not remove): Two wash bays are located inside the Maintenance workshop with one wash bay connected via the Auto Batch unit to the trade waste. The second wash bay is not connected to the trade waste treatment plant i.e., 'Auto Batch Unit'. The second wash bay has not been used since it was installed.</p> <p>The single bay has grading and bunding, is covered and prevents rain ingress. The treatment plant (and tanks) are sufficiently sized to hold generated waste water.</p> <p>2023 – Status: A single wash bay is in operation.</p>	Complaint

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
7	Requirements of Botany Bay Council		
	Discharge to the Sewer via Appropriate Pre-Treatment		
7.23	<p>All vehicle washing bays that discharge to sewer shall meet the following requirements:</p> <ul style="list-style-type: none"> (a) Discharges into the sewer requires a Permission to Discharge Trade Wastewater certificate issued by Sydney Water; (b) Have a floor that is sealed and graded to an internal drainage point, so that all wastewater and surface spillage is directed and drains to the approved treatment and disposal point; (c) Is roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay; (d) At a minimum the bay should have a roof that has a minimum height of 2.5 m; (e) Have a roof that has a minimum height of 2.5 m; (f) Be constructed with a minimum 20 mm bund around the perimeter of the bay; (g) Be protected from the entry of external surface waters, by either; a minimum 2% change in grade; or combination of a minimum 2% grade change and a grated drainage system; (h) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems; (i) Have a 1000 L general purpose pit; and (j) Carry out appropriate inspections and maintenance of the General Purpose Pit. The thickness of the sediment and oil levels, and outflow oil concentrations to be logged quarterly and submitted to Council. The pit is to be pumped out at least every 12 months or at more frequent interval as nominated by Council. 	<p>Background (do not remove): Two wash bays are located inside the Maintenance workshop with one wash bay connected via the Auto Batch unit to the trade waste. The second wash bay is not connected to the trade waste treatment plant i.e., ‘Auto Batch Unit’. The second wash bay has not been used since it was installed.</p> <p>The single bay has grading and bunding, is covered and prevents rain ingress.</p> <p>The wastewater treatment plant (“AutoBatch” System) includes inground-open tanks (i.e., General Purpose Pit) sufficiently sized to hold generated wastewater.</p> <p>2023 – Status: A single wash bay is in operation.</p>	Compliant

No.	Condition of Approval 453 - Detail	Evidence 2023	Assessment Rating 2023
Disposal of Wastewater to Land Incorporating Appropriate Treatment Devices			
7.24	<p>All vehicle washing bays that discharge wastewater shall meet the following requirements:</p> <p>(a) The Applicant shall prove that the environmental conditions of the site are appropriate and provide appropriate professional site assessment information on the presence of environmentally sensitive areas on the building site, in the adjoining areas or within the downstream catchment;</p> <p>(b) Soil characteristics including soil permeability, depth to bedrock/hardpan, depth to high episodic water table, % coarse fragments; electrical conductivity; sodicity, cation exchange capacity, phosphorous absorption and any other Council requirement;</p> <p>(c) Site flood potential, exposure to sun and wind, slope, erosion potential, drainage, plant growth conditions;</p> <p>(d) Buffer distances from permanent surface waters, domestic groundwater wells, other waters, property boundaries, driveways, swimming pools and buildings; and</p> <p>(e) Other site assessment details as required by Council.</p>	<p>Background (do not remove): Two wash bays are located inside the Maintenance workshop with one wash bay connected via the Auto Batch unit to the trade waste. The second wash bay is not connected to the trade waste treatment plant i.e., 'Auto Batch Unit'. The second wash bay has not been used since it was installed.</p> <p>The single bay has grading and bunding, is covered and prevents rain ingress. The treatment plant (and inground/open tanks) is sufficiently sized to hold generated wastewater.</p> <p>There are no discharges to land.</p> <p>Any liquid waste is disposed of by a liquid waste contractor.</p> <p>2023 – Status: No change.</p>	Not Applicable
Energy Efficiency Report			
7.25	<p>An Energy Efficiency Compliance Report shall be prepared within 15 months of the issuing of the occupation certificate. The Report shall certify that energy efficiency measures have been installed and verify that the building's energy performance complies with Councils Energy Efficiency DCP. A copy of the Report shall be made available to Council on request.</p>	<p>Background (do not remove): Patrick submitted the <i>Energy Efficiency Report (March 2020)</i> to the Department on 7 September 2020. The Department advised that it had no comments.</p> <p>2023 – Status: No further action required for this condition.</p>	Compliant